NOVEMBER, 1959

THE Signalman's JOURNAL

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'NON-OPS' GET THREE CENT ESCALATOR RAISE

NEWSPAPER LABOR MOVES TO NEW HOME

CANADIAN 'NON-OPS' INITIATE WAGE MOVE

COVER STORY

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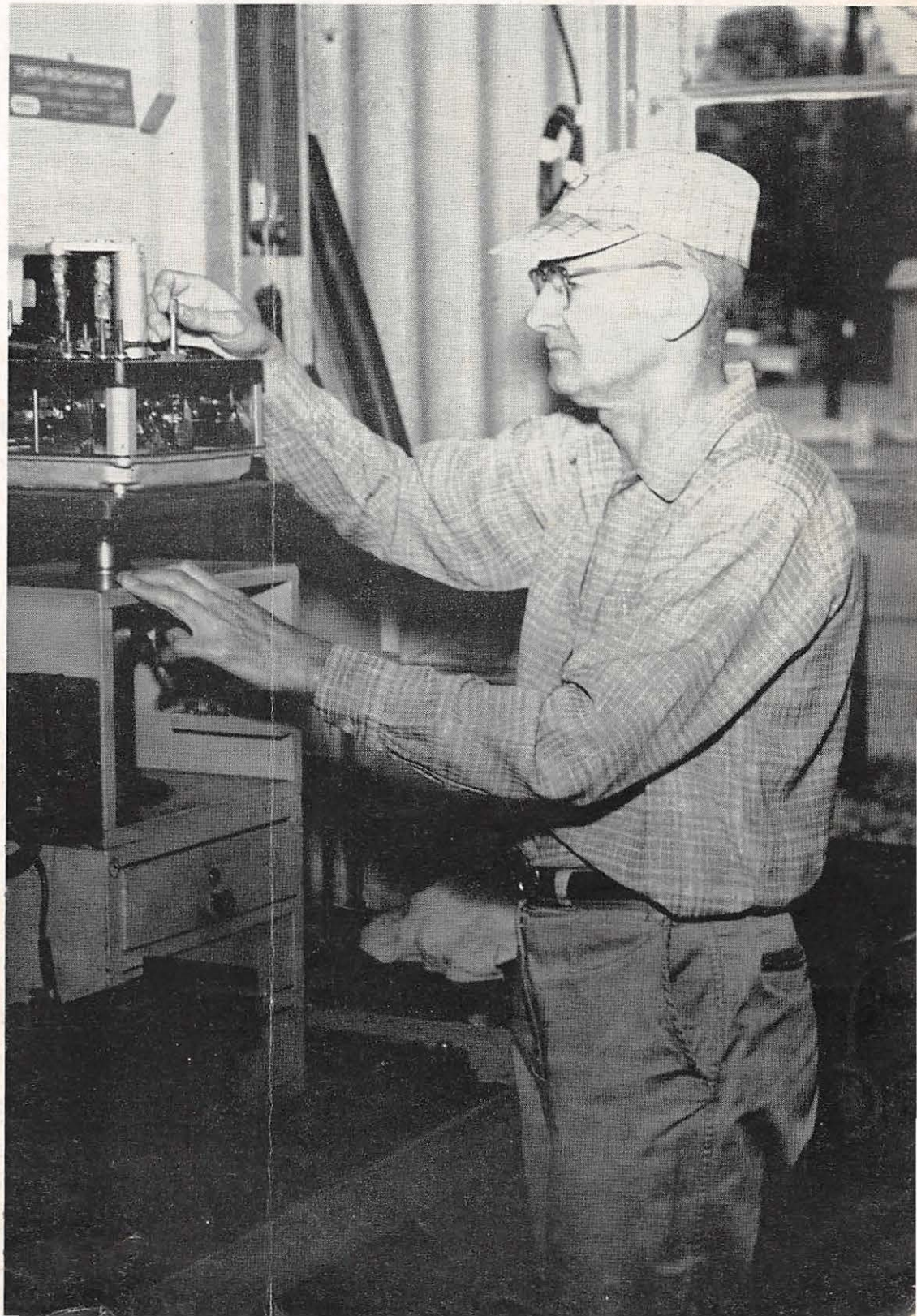

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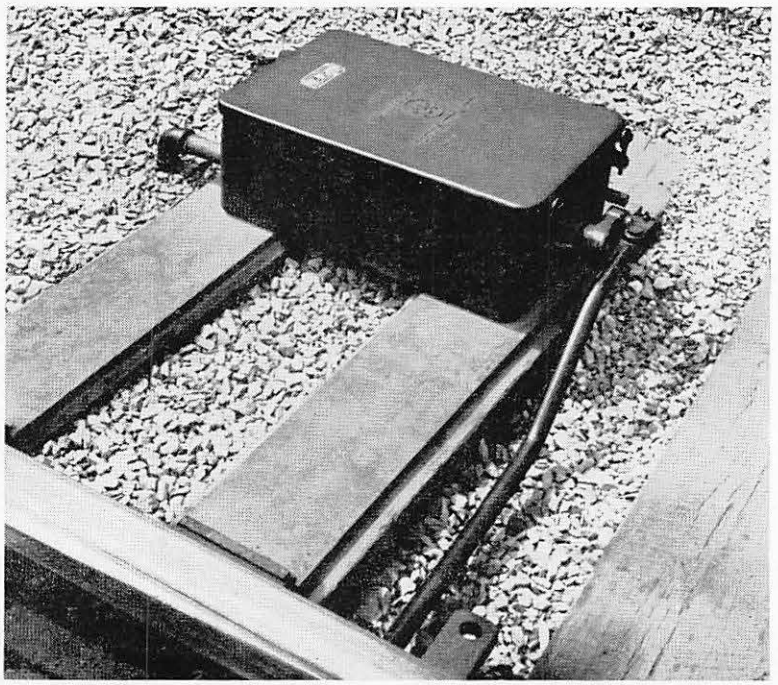

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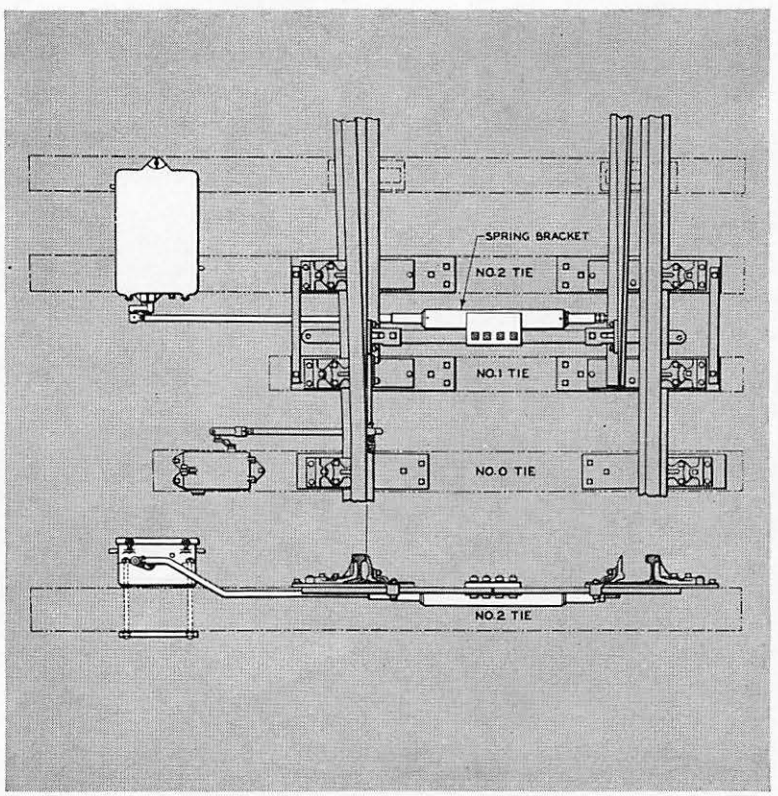

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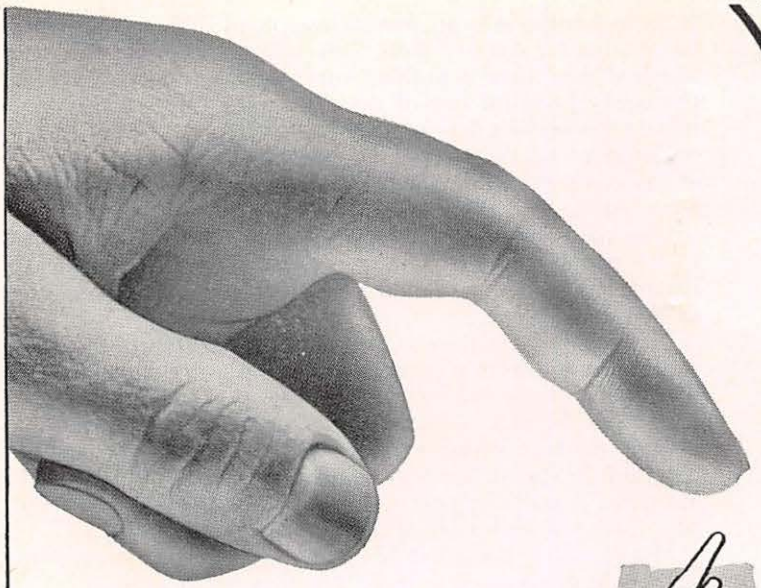

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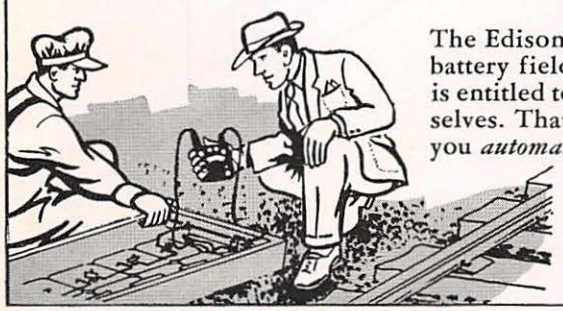

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The Unladylike Behavior of Maria Mitchell

In a quiet house in Lynn, Massachusetts, in 1889, an old woman lay waiting for death. "Well," she said in amused wonder, "if this is dying, there is nothing very unpleasant about it." And the book closed for one of the most remarkable of the many remarkable women America has produced.

Her story began on a night very long ago when, as a Quaker girl in Nantucket, Maria Mitchell discovered a comet—and got a gold medal worth 20 ducats from the Danish King.

Overnight she became a celebrity. But many people, wedded to the popular notion of woman as a "household ornament," regarded Maria as an unwelcome phenomenon and her discovery as only an accident.

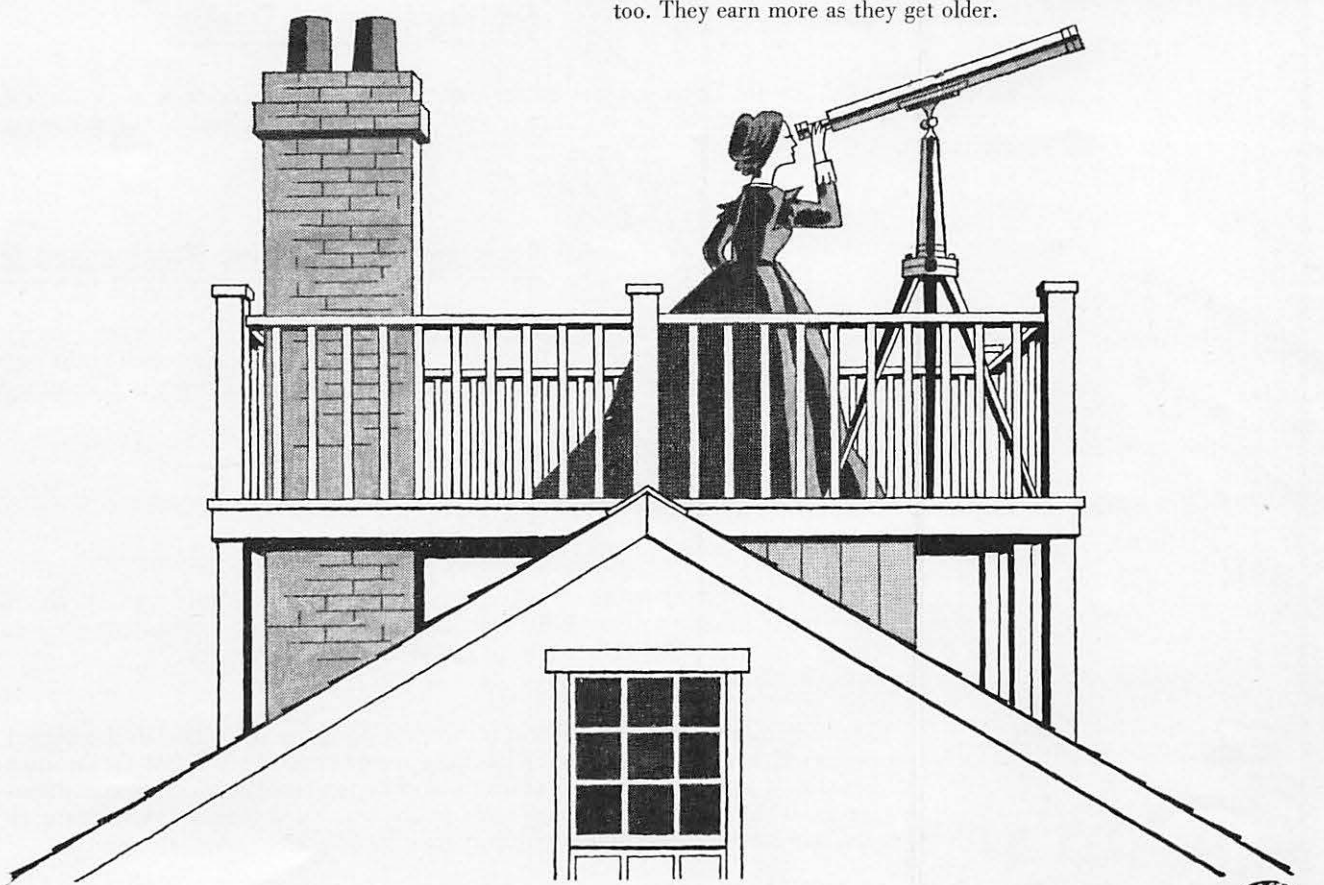
That was because they didn't know Maria Mitchell. At 12 she could regulate a ship's chronometer; at 17 she understood Bowditch's "Practical Navigator" and was studying science in self-taught French, German and Latin. In time she would become the first woman member of the American Academy of Arts and Sciences, the first woman astronomy professor—in Matthew Vassar's Female College—and a member forever of New York University's Hall of Fame.

Moreover, all her adult life she was to work with growing success in the crusade to make American women free.

No one these days would question the rewards of Maria Mitchell's crusade. Women today enrich every level of public life. And, in family life, they guard financial security two times out of three. One reason, probably, why their families have more than $40,000,000,000 saved—in guaranteed-safe United States Savings Bonds.

Women know there is no *safer* way to save. Trust them. Through Payroll Savings or at your bank, start *your* Bond program, too. Today.

Now Savings Bonds are better than ever! Every Series E Bond purchased since February 1, 1957, pays 3¼% interest when held to maturity. It earns higher interest in the early years than ever before, and matures in only 8 years and 11 months. Hold your *old* E Bonds, too. They earn more as they get older.



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OFFICIAL PUBLICATION BROTHERHOOD OF RAILROAD SIGNALMEN

Paul T. Drummond, Editor and Manager
2247 Lawrence Ave., Chicago 25, Ill.

NOVEMBER, 1959

Vol. 40, No. 11

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INTERNATIONAL LABOR PRESS AFL-CIO ASSOCIATION

Shop forces available when photo was made are, from left to right: J. M. Beak; Manuel Garcia; J. Teuscher; Grace Alumbaugh; George Smith; Ken Moore; William Quinn; Danny Dorato; E. W. Lewis; Paul Lilyquist; F. E. Jensen; M. O. Waits; Dave Hanna; C. L. Wilson, shop foreman; and W. J. Jenne, signal supervisor.

Diversified Signal Shop on Southern Pacific

WHEN THE SIGNAL DEPARTMENT on the Southern Pacific's western division wants a relay repaired, a gauge plate made, or any piece of signal apparatus overhauled, it calls on the diversified skills of the signalmen in their West Oakland, Calif. signal shop. The shop is equipped to handle anything from minor repairs to signal equipment to heavy forging and welding operations.

When built in 1930, the structure housing the shop accommodated approximately 60 employes, exclusive of office personnel. In addition to the signal department, the building originally housed the division electrical repair department, motor car department, communication's repair department, a telephone exchange and supervisor's office. Today, the signal department has the exclusive use of the building except for a limited number of telephone operators and the equipment room.

The building is constructed of steel and concrete. The signal shop proper is steel framed and is covered with transite. It is 35 feet wide and 75 feet long.

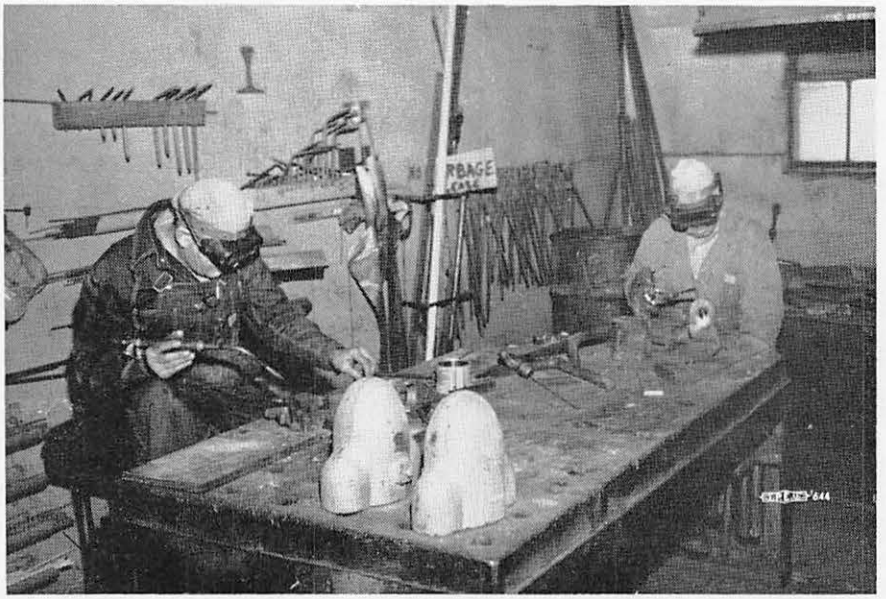
The signal supervisor's office is in the two-story front of the building; immediately below is the automatic telephone equipment room, wash and locker rooms, and recreation room.

Behind the shop is a well-stocked tool room with a signalman in charge. Directly behind this is the blacksmith shop, equipped with a forge, large drill press, grinders, welding table, and a 75-ton air-powered press. This press was assembled several years ago by the shop forces from salvaged parts and material.

Today the press is a very important part of the blacksmith shop function, as the shop is called upon to fill store orders for gauge plates for the various divisions on the system, and the S.P. makes practically all its gauge plates used with power switches and spring switches and related parts here at the West Oakland shop.

Under the capable guidance of Brother Harry Emeldi—the oldest man in point of shop tenure—no job is too small or too large to be performed. Brother Emeldi is assisted by Brother Earl Lewis and, in the words of Local Chairman W. H. Quinn, "any metal that can possibly be welded can be welded by Brothers Emeldi and Lewis." For safety reasons a large curtain separates the main blacksmith shop from the welding room.

The present working force in the signal shop consists of one shop foreman, two leading signalmen, 17 signalmen, and two assistants. The shop carries on functions for many of the divisions on the Pa-



A well-equipped welding shop is an important part of West Oakland signal shop.

This group of photos demonstrates the diversified skills possessed by the signalmen in the West Oakland signal shop. Many of our readers will recognize Brother W. H. Quinn, top left, who has been a delegate to many Brotherhood conventions. When this photo was made Brother Quinn had just finished converting two L-10 relays to fill a special request for which no standard specifications were available. Brother M. O. Waits, top right, is wiring an auxiliary case which will be a part of hot box detective to be installed on S.P.'s western division. Brother William Finley, lower left, is wiring relays in a special cabin which will replace outmoded equipment. Sister Grace Alumbaugh, lower right, is assemblying a portable test telephone set.

cific Lines; it also does work for many other departments not related to signal work—a sort of super fix-it shop.

The shop itself is well equipped with three lathes, three grinders, two buffers, two shapers, one high-speed power saw, four drill presses, two coil winding machines, three shears, two electric bake ovens, and other related equipment. Three signalmen usually are kept busy on division and store order work, and one is kept busy repairing switch machines and highway traffic counters.

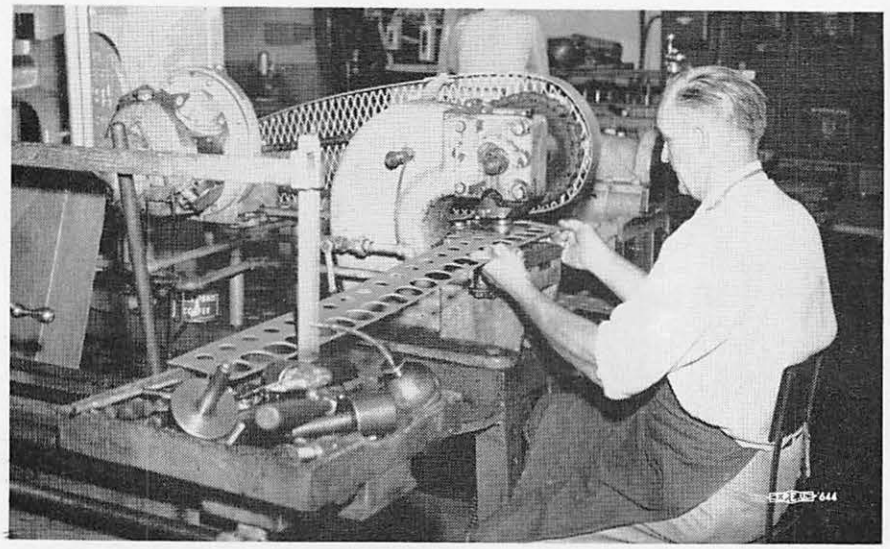
The personnel in the shop is very versatile. One day a signalman may be wiring a CTC machine and the next he may be called upon to assemble, from blueprint specifications, portable test phone sets used throughout the system. Repairs to such sets are made as occasion requires.

Present plans call for a semi-system signal shop to be located at West Oakland. Rates of pay, seniority and jurisdiction provisions will be governed by the agreement between the carrier and our Brotherhood—if and when consolidation of the various shops takes place. The S.P. has a large program installing CTC throughout its system and not much progress has been made toward the consolidation during the past year.

One unique job performed in the shop is the making of fibre tags and signal buss bars and links. Brother Paul Lilyquist is the punch press operator, and since the shop forces converted the press from a manual one-punch affair to an automatic power press, Brother Lilyquist has filled orders numbering several thousand buss bars or links.

As the SP converts to CTC, the shop is called upon to keep in stride with signal progress. For example, a CTC-type panel recently was wired which will be used to replace a 65-lever interlocking machine at Davis Tower, a junction point of the Western and Sacramento divisions. Due to advanced signaling, consolidation of interlocking towers on the division has been going on for some time, bringing into focus the importance of the signal shop in coordinating related functions.

A current project engaged in at the West Oakland shop is the wiring of an all-relay interlocking plant. The relays for the plant are housed in a special type cabin built by Armco with adjustable shelving. The cabin measures 16 feet square and is set on a concrete slab; when completed it will be a relay interlocking in itself. Later, it will be used to eliminate some existing facilities. Brother William



Brother Paul Lilyquist operates punch press machine which is used to fill many large orders for fibre tags and signal buss bars. Originally a manual one-punch affair, shop forces used its varied skills to convert press to an automatic operation.

Finley is the signalman assigned to this project.

Actually, what Brother Finley is doing is writing "finis" to Oakland Pier Tower. To some readers it may sound astounding that about 30 years ago this tower had more daily movements than Grand Central Terminal in New York City. Due to track changes to modernize West Oakland yard, the tower at Oakland Pier will be abandoned shortly.

A recent venture for the shop forces in West Oakland is the wiring of a Servo Hot Box Detective and associated apparatus. The S.P. has purchased four of the "detectives" to be used on its system, with one slated to be installed on the western division.

No shop article would be complete without mention of the relay repair department. There are four full-time relay repairmen in the West Oakland shop. These repairmen work under the guidance of Leader F. E. Jensen who also has charge of the coil winders. Brother Jensen has spent most of his life tinkering with relays, both on the western and the old Stockton division.

Another old-time relay man, a former Grand Lodge officer and delegate to many Brotherhood conventions, is Bill Quinn. Brother Quinn is called upon to convert relays for jobs for which no standard specifications are available.

There is a continuous flow of relays stemming from this relay department going to the western division and to parts of the entire system. During the calendar year 1958 a record number of 1,670 relays were completely overhauled and reconditioned. These included virtually every type relay used in modern railroad signaling.

There are many relay shops located on various railroads, but the West Oakland shop takes no back story to any of them. It is diversified, catering to the many wants of the signal and other departments. Many operations are completed by taking recourse to the salvage dock. There has been devised no method to determine the savings this shop has afforded the Southern Pacific each year, but it is agreed by all concerned that it is considerable.

The shop is heated with gas blowers, thermo controlled, and can be cooled in the summer with the same blowers. It is clean, spacious, with large adjustable windows and janitorial service. With its strategic location, ample parking space on company property, and inter-city bus service nearby, it makes a convenient place to work. At least, many seem to think so.

AFL-CIO Pledges Full Support of Labor Movement to Rail Unions

DELEGATES TO THE AFL-CIO'S third constitutional convention, held recently in San Francisco, placed the solid support of the 12½ million member Federation behind rail unions in their current disputes with the nation's carriers. They did so by unanimously approving a series of resolutions sponsored by the Railway Labor Executives' Association.

One resolution pledged the AFL-CIO's "full and unqualified support to the efforts of railroad workers to win the just wage increases and improvements in their working conditions to which they are so obviously entitled."

Noting that both "operating" and "non-operating" unions are seeking only "modest" increases in wages and other improvements, the resolution lashed out at the carriers for countering with a demand that the workers take a 15-cent-an-hour wage cut.

"Such proposals can only be construed as further evidence of the railroads' present policies of completely disregarding the welfare of their employes," the statement charged.

Another resolution, supporting rail unions' efforts to preserve long-established safety rules, condemned the carriers' current "multi-million dollar 'featherbedding' campaign" as being "without precedent in its intensity and recklessness."

It stressed: "All economic facts concerning railroad workers' soaring productivity, low earnings, substandard working conditions, and the serious rise in rail accidents show the campaign has no truth or merit."

A separate resolution accused the carriers of "callous indifference" to the mounting toll of railroad accidents which have resulted in injuries and deaths to both workers and passengers.

It gave solid AFL-CIO backing to the RLEA's safety program, now being developed, as well as the Association's legislative programs to curb needless maiming and slaughter along railroad tracks.

The convention also put the Federation 100 percent behind rail labor's legislative campaign to enact the "Case Bill" to close "loopholes" in the 1958 Interstate Commerce Act through which carriers are making wholesale abandonments of passenger service.

Also, the delegates gave their full support to the RLEA legislative proposals calling for: Rules

and regulations to ensure the safe operation of track motorcars; standards for inspection of bridges and right-of-way; enactment of bills to prescribe safety standards for passenger and freight cars, and fuller reporting of accidents.

In another action, the convention backed up efforts of rail unions to attain "job stabilization" agreements on carriers, which are designed "to assure greater efficiency and maintain a stable supply of skilled workers so necessary to national security."

Another resolution, on Federal tax policies, called for elimination of the requirement that workers pay income taxes on their contributions to retirement programs under Railroad Retirement, Social Security and Civil Service. This proposal was originally introduced by the RLEA.

One of the first resolutions adopted sustained the need for the fireman as "essential to the safe and efficient operation of trains that are running longer and faster than at any time in history."

Railroads Demand 33 Cents an Hour Wage Cut

WAGE CUTS BEING DEMANDED by the nation's railroads amount to 33 cents an hour for signalmen and the other 650,000 employes represented by the "non-operating" rail unions, it was revealed by a recent statement released by the RLEA.

G. E. Leighty, chairman of the "non-op" joint negotiating committee, said the full extent of the wage cuts sought by the carriers became apparent after their written counter-proposals were received by the unions. The carrier's counter-proposals were in response to the request of the unions for a 25-cents-an-hour wage increase and other benefits.

The carriers now are seeking a five-cents-an-hour pay *cut* to offset an earlier request by the unions for improvements in vacation and holiday benefits. This is in addition to the 15-cents-an-hour wage cut requested by railroads in response to the union proposal for a 25-cents-an-hour wage boost. The carriers are also demanding the termination of the existing "escalator" clause for cost-of-living increases, all to become effective November 1.

Signalmen and other employes represented by "non-operating" rail unions are currently receiving 13 cents an hour under the latter clause, and this would be wiped out by the carrier counter-proposal, bringing the total hourly pay cuts to 33 cents. By contrast, the "non-operating" unions have asked that the cost-of-living adjustments be incorporated into the basic wage rates.

Still worse, the carriers' counter-proposal would drastically scale down the benefits now available to signalmen and other "non-operating" employes and their dependents under the present hospital, surgical, and medical plans now prevailing in the industry.

First they would impose a $25 "deductible" condition for hospital and surgical benefits—that is, no reimbursement for cost of $25 or less. In addition, they would slash the scheduled benefits above that amount by 15 percent.

In the case of medical and poliomyelitis benefits, they would establish a $50 "deductible" feature—and then a 25 percent slash in the benefits payable.

Furthermore, these new shaved-down benefits would apply "within any 60-day period." Thus, in the case of those with prolonged hospital, medical, or surgical care, there would be a $25 to $50 deduction in benefits each 60 days, plus the slash in the scale of benefits.

Leighty said these demands are part of an over-all "vicious attack" which the carriers have mounted against their employes during the past year. "Instead of negotiating in the manner contemplated by the Railroad Labor Act," he continued, "they've been resorting to a propaganda smear campaign.

"We believe there's a definite connection in the way the railroads and steel industry have been acting. We believe there is a conspiracy between them to beat down labor, so that profits can soar to new heights."

Leighty stressed that railroad workers are "bitterly incensed" at the attacks made by the carriers—particularly in view of the employes' record of "efficiency and productivity."

He declared: "We of the rail unions will attempt to resolve our differences with the carriers through the machinery of the Railway Labor Act, rather than resort to force, as the carriers appear to be threatening now."

Such management intention to force a strike is evidenced, he said, by their action in setting up a huge "strike insurance" fund.

"They're apparently going to spend millions on strike insurance, an expenditure that would be completely unnecessary, "Leighty asserted, "if they would sit down and negotiate with us in good faith."

Union Label Prize Winner Grace A. Broderick, secretary to Iowa Federation of Labor President Ray Mills, was awarded first prize in recent contest for essay on "The Meaning of the Union Label." Contest was open to female office workers employed by labor organizations throughout the United States and was sponsored by Remington Rand, manufacturers of union-labeled office equipment. A resident of Des Moines, Miss Broderick, 25, is a member of Local 37 of Office Employes International Union. She received $1,000, a Remington Rand Portable Typewriter, and a week's vacation in San Francisco during the AFL-CIO Convention.

Landmarks for Newspaper Labor

By Michael Marsh

MANY RAILROADERS MUST have wondered what's the story behind their national weekly newspaper, LABOR. Generally LABOR prints the news about others but it doesn't make very much news itself. Recently, however, the rail workers' weekly has passed a couple of new landmarks. So this seems like a good time to look at what this unique labor weekly is and how it got that way.

One recent event for LABOR was its 40th birthday. The paper's first issue was published way back on Oct. 4, 1919. That first edition of LABOR had a printing of just 25,000 copies.

The second recent event is completion of the moving of LABOR's operations into a spick-and-span new eight story headquarters in Washington, right at the foot of Capitol Hill.

Already since early in the summer a new high-speed press has been rolling in LABOR's spacious new headquarters, turning out nearly 800,000 copies of the rail workers' paper every week. Quarters for the editorial and office staffs in the new building are also in sharp contrast to the paper's small beginnings. Those staffs were scheduled to move to their new quarters in late October.

Of course, LABOR's own operations fill only a small part of the new Railway Labor Building in Washington. The building also provides space for the Washington offices of numerous rail unions, plus space rented to other organizations.

Despite its great growth in 40 years, however, some things about LABOR have stayed very much the same. One of these is its ownership. The paper was founded by 15 standard railroad labor organizations. They set their paper up as a cooperative, with each member organization having one vote no matter what its size.

'Owned by Rail Workers'

Here's the new home of LABOR, which is owned and—in effect—built by the million railroad workers of the United States and Canada. Three of its floors are occupied by the staff of LABOR and by the Washington operations of the various Standard Railroad Labor Organizations; the other five are to have outside tenants. The structure is located at First and D Sts., N.W., in Washington—and it's within sight of the U.S. Capitol. It's regarded as one of the finest, most attractive, and most utilitarian buildings of its type in the Capitol Hill area. Dedication ceremonies are to come later.

The paper still operates—and successfully—in just that way, except that the number of owning organizations has now expanded to 17. In effect, LABOR's real owners are the nearly one million railroaders who belong to these 17 organizations.

Likewise unchanged is the fact that LABOR does not operate for profit and it never has. Nor has the paper ever accepted a penny from any advertiser or a private interest subsidy in any form. LABOR's sole income has always come from the subscriptions of its readers.

The founders of LABOR—and they included many of rail labor's greatest old-time leaders—also had clear ideas of what they wanted their national paper to be. In the very first edition they annnounced LABOR's aim would be to "discuss all issues that vitally affect workers, whether they work in the shop, on the farm or on the nation's great transportation lines."

LABOR's founding editor and manager, former Congressman Edward Keating, put that aim promptly and continuously into practice. Guiding the rail workers' paper for nearly 35 years, Keating won it great readership and a position of real influence in the halls of Congress as well as in the nation at large.

Levin Succeeds Keating

After Keating's retirement in 1953 he was succeeded as editor and manager by Ruben Levin. A newsman with experience on many U. S. and Canadian dailies, Levin first came to LABOR as a staff writer in 1938. Since taking over as editor, Levin says he has aimed to continue LABOR as the crusading paper, with broad coverage of important issues, that it has always been.

"LABOR has a point of view," says Levin. "Look at the masthead in each issue of the paper and you will see three phrases: 'Industrial Democracy,' 'Truth, Justice and Freedom,' and 'All Power is Inherent IN the People; Therefore All Power TO the People.' Those are our goals. They have appeared in each edition of LABOR for 40 years. Times change. Issues change. But these goals do not change, and LABOR will continue to crusade for them."

Many readers, on first seeing LABOR, are surprised that it seems so small. That's because it has none of the big ads that fill most of the space in daily papers.

All of LABOR's four pages each week are devoted to reading material.

This labor weekly is also a serious paper, and it has been from the first. Some lighter stories are printed, and a joke column, but the major emphasis is on news of real importance. Editor Levin explains this as being a conscious policy.

Reports Big Issues

"We feel," he says, "that most of our readers look to LABOR for information on the big issues that affect their lives, information that they often can't get in their daily papers or that is garbled and distorted by much of the press."

Thus LABOR reports not only the news of rail unions and of the labor movement generally. It also features news of the big issues before Congress, news of the national economy and of international events. It reports also on cases of exploitation of workers, consumers or investors.

In technique, LABOR uses for some stories the same sort of "who, when, where" reporting that is stressed by the big newspaper wire services such as AP and UPI. Other stories are more what newsmen call the "feature" or "human interest" type.

Many stories in LABOR, however, are what reporters describe as the "interpretative" type. That is: These stories seek to pull many different events together into a meaningful pattern. In the news-gathering business, this type of reporting is rated as requiring more skill—and more sense of responsibility—than any other kind. It also can give more to the reader, in today's complex world.

This kind of reporting is the stock-in-trade of the weekly newsmagazines. More and more daily newspapers are also using stories of this type. LABOR is one of the pioneers in this kind of news story. Invariably, however, its "interpretative" reporting is designed to answer one simple question: How does this affect America's working families?

In addition to Editor Levin, LABOR's editorial staff includes four staff writers in Washington, also the beloved cartoonist John Baer, and staff correspondents in Chicago and Ottawa. Many news stories of high value are also sent in by volunteer "reader correspondents" throughout the U.S. and Canada.

LABOR's influence is rated quite high among members of Congress. Senate Majority Leader Lyndon Johnson, for example, has said that LABOR is one of the few papers coming to his office that he reads personally. "I know of no better way to keep informed about the problems, aims and needs of American labor," he said.

Wins Praise of Solons

Senator Mike Mansfield of Montana, the assistant majority leader, describes LABOR as being "a tremendous force in the labor movement" and "synonymous with the public interest." Senator George Aiken, liberal Vermont Republican, says: "I have been reading this influential publication for more than 20 years and . . . I have never known LABOR to be less than accurate . . ."

A well-known independent commentator on America's press, George Seldes, lists LABOR as one of the few publications that tell their readers "some of the important things the one-party standard press omits or mishandles." Reporting that LABOR's "news items are almost always free of editorial slant," Seldes said that "to about 99 percent of the American public it would be a weekly revelation."

Occasionally a LABOR story is also a revelation to U.S. senators. Some time back, when the paper reported how the big oil companies pay no U.S. income taxes on their fabulous foreign profits, Senator Hubert Humphrey (Dem., Minn.) rose on the Senate floor and commented that he had seen this story, up to then, only in LABOR and not in any of the daily papers.

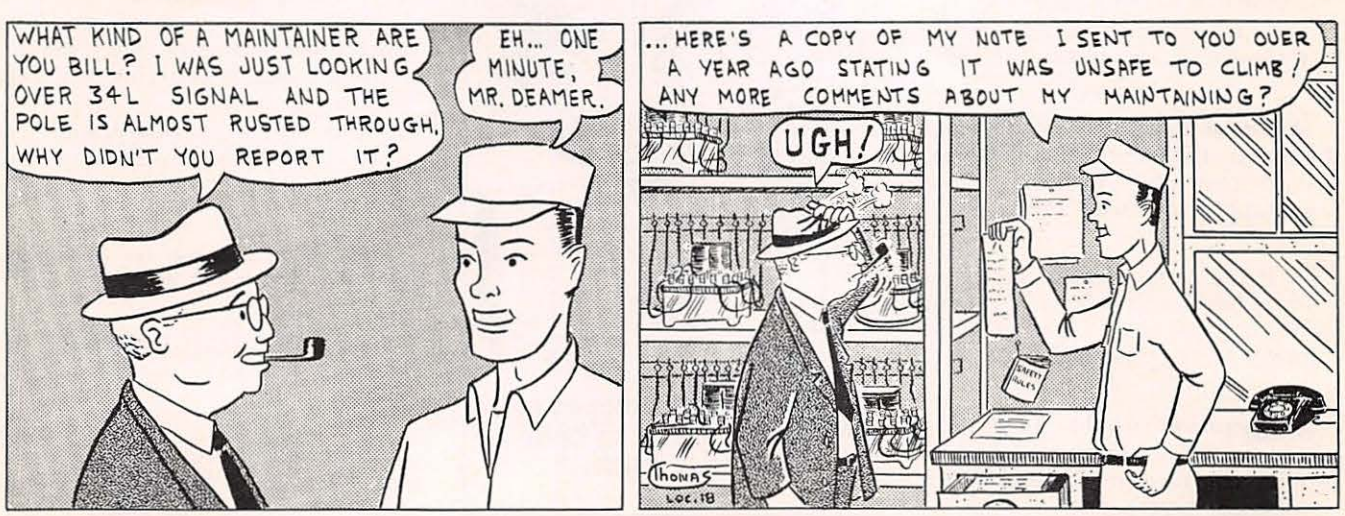
Readers Are Biggest Asset

Asked for the real explanation of LABOR's influence, however, Editor Levin lays it chiefly to one thing: "Our readers." The prime reason for LABOR's force, he suggests, lies in its large alert readership—and that in turn, he says, derives from two main sources.

One source, Levin stresses, is strong backing from rail unions whose conventions, system federations or individual lodges subscribe to LABOR at reduced rates for their members. A second source, he says, lies in the warm personal support of LABOR by rail union leaders, editors of railway labor magazines and just ordinary unionists who subscribe to the paper for friends as well as for themselves.

"These are the people who have made LABOR," Levin declares. "Without them, it would be nothing. With them, I think it is a real force."

SIGNALMAN'S LAMENT **BY THOMAS**


WHAT KIND OF A MAINTAINER ARE YOU BILL? I WAS JUST LOOKING OVER 34L SIGNAL AND THE POLE IS ALMOST RUSTED THROUGH. WHY DIDN'T YOU REPORT IT?
EH... ONE MINUTE, MR. DEAMER.
...HERE'S A COPY OF MY NOTE I SENT TO YOU OVER A YEAR AGO STATING IT WAS UNSAFE TO CLIMB! ANY MORE COMMENTS ABOUT MY MAINTAINING?
UGH!
THOMAS LOC. 18

SHANTY BANTER

NOT TOO BAD

Little Betty had listened to her dad and mom discussing the dominating ways of her Aunt Emma and their insistence that she would promptly set about "making over" her new husband.

On their first visit to the newlyweds, Betty was introduced to her new uncle. After looking him over carefully for a time she announced: "I don't think you'll have to make him over, Aunt Emma. He looks okay to me—except he needs to be taken in around the middle."

Occasionally you will come across a concrete mind — permanently set and all mixed up.

SMART GAL

An attractive young girl, visiting relatives in a small country town, went driving one night with the local Romeo. After a time he pulled onto a lonely section of the road, stopped suddenly, and announced with a shrug, "Guess I'm out of gas."

Unperturbed, the girl opened her handbag and pulled out a large bottle of liquid.

"Well, now, you're pretty smart!" the lady killer exclaimed. "Is it scotch or bourbon?"

Calmly she replied: "Neither—it's gasoline for your car."

A lot of marriages would work better if the head of the house would remember to bring home some applesauce with the bacon.

After a long aimless interview with a budding starlet, the casting director scribbled on her card: "Bust—38; I.Q. to match."

Cooperation would solve most problems. For instance, freckles would be a nice coat of tan if they would get together.

Quotation from a will: "Being of sound mind, I spent every penny I had before I died."

NEW DEFINITION

A shy young undertaker from the deep south was attending a political convention in Chicago. Those present were asked to stand, introduce themselves and name their professions. Fearing laughter from the crowd if he mentioned his profession, the undertaker drawled: "My name is Harlan Brown and I'm a southern planter."

Nowadays, driving while drunk is almost as dangerous as walking while sober.

TOO SENSIBLE

He: "You look like a sensible sort of girl—let's get married."

She: "Not me. I'm just as sensible as I look."

MISCALCULATION

"Why are you here again?" the magistrate asked.

"Because of my belief," replied the prisoner.

"I don't understand," snapped the magistrate.

"I believed the policeman had gone when I robbed the store."

One of the easiest ways to get into trouble is to be right at the wrong time.

SMALL DIFFERENCE

Teacher: "Dickie, do you know the Ten Commandments?"

Dickie: "Yessum, I know most of 'em."

Teacher: "Then why did you break the Eighth one by stealing Tom's apple?"

Dickie: "Cause it seemed to me I might as well break the Eighth one and have the apple as to break the Tenth and just covet it."

You can't become the man of the hour by watching the clock.

DEFLATED EGO

A Western TV actor, noticing a small boy wandering around the set, said to him: "Well, son, would you like to have my autograph?"

"No, sir, I wouldn't," replied the lad, "but I would like to know what you do with the horses after the riders are shot."

He who indulges, bulges.

PLAY IT SAFE

A posse was formed to track down a lion, escaped from the circus. They decided to stop by the saloon and have a drink before they started their daring venture. Each one had a big drink of whiskey except little Joe.

"What's the idea of drinking ginger ale?" one of the men inquired. "We're drinking whiskey; why aren't you?"

"Not me on a lion hunt," replied Joe. "Whiskey gives me too much courage!"

Only a tombstone will say good things about a man when he's down.

ACCURATE DESCRIPTION

"Dad, what is an inscrutable smile?"

"My son, it's the kind your mother had on her face this morning when I told her business would keep me out late tonight."

THIS IS YOUR COPY

Labor-Management Reporting And Disclosure Act of 1959

Public Law 86-257
86th Congress, S-1555
September 14, 1959

"Sec. 105. Every labor organization shall inform its members concerning the provisions of this Act."

IN ORDER TO MAKE SURE THAT EVERY MEMBER of the Brotherhood of Railroad Signalmen can view and study the repressive legislation levied against the American worker by the 86th Congress, and in order to comply with Section 105 of the Labor-Management Reporting and Disclosure Act of 1959, the full text of the Act is reprinted here.

This text is placed in the Journal in such a way that members may easily remove it for future reference.

SHORT TITLE

Section 1. This Act may be cited as the "Labor-Management Reporting and Disclosure Act of 1959."

DECLARATION OF FINDINGS, PURPOSES, AND POLICY

Sec. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employes' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is essential that labor organizations, employers and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organization, particularly as they affect labor-management relations.

(b) The Congress further finds, from recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employes, and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protec-

tion of the rights and interests of employes and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives.

(c) The Congress, therefore, further finds and declares that the enactment of this Act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers and representatives which distort and defeat the policies of the Labor Management Relations Act, 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods into or from the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing into or from the channels of commerce.

DEFINITIONS

Sec. 3. For the purposes of titles I, II, III, IV, V (except section 505), and VI of this Act—

(a) "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(b) "State" includes any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331-1343).

(c) "Industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.

(d) "Person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(e) "Employer" means any employer or any group or association of employers engaged in an industry affecting commerce (1) which is, with respect to employes engaged in an industry affecting commerce, an employer within the meaning of any law of the United States relating to the employment of any employes or (2) which may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any person acting directly or indirectly as an employer or as an agent of an employer or as an agent of an employer in relation to an employe but does not include the United States or any corporation wholly owned by the Government of the United States or any State or political subdivision thereof.

(f) "Employe" means any individual employed by an employer, and includes any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice or because of exclusion or expulsion from a labor organization in any manner or for any reason inconsistent with the requirements of this Act.

(g) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employe.

(h) "Trusteeship" means any receivership, trusteeship, or other method of supervision or control whereby a labor organization suspends the autonomy otherwise available to a subordinate body under its constitution or bylaws.

(i) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, or employe representation committee, group, association, or plan so engaged in which employes participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization, other than a State or local central body.

(j) A labor organization shall be deemed to be engaged in an industry affecting commerce if it—

(1) is the certified representative of employes under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employes of an employer or employers engaged in an industry affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employes of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employes within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employes may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, general committee, joint or system board, or joint council, subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection, other than a State or local central body.

(k) "Secret ballot" means the expression by ballot, voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

(l) "Trust in which a labor organization is interested" means a trust or other fund or organization (1) which was created or established by a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (2) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

(m) "Labor relations consultant" means any person who, for compensation, advises or represents an employer, employer organization, or labor organization concerning employe organizing, concerted activities, or collective bargaining activities.

(n) "Officer" means any constitutional officer, any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body.

(o) "Member" or "member in good standing," when used in reference to a labor organization, includes any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

(p) "Secretary" means the Secretary of Labor.

(q) "Officer, agent, shop steward, or other representative," when used with respect to a labor organization, includes elected officials and key administrative personnel, whether elected or appointed (such as business agents, heads of departments or major units, and organizers who exercise substantial independent authority), but does not include salaried nonsupervisory professional staff, stenographic, and service personnel.

(r) "District court of the United States" means a United States district court and a United States court of any place subject to the jurisdiction of the United States.

Title I—Bill of Rights of Members of Labor Organizations

BILL OF RIGHTS

Sec. 101. (a) (1) EQUAL RIGHTS.—Every member of a labor organization shall have equal rights and privileges within such organization to nominate candidates, to vote in elections or referendums of the labor organization, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws.

(2) FREEDOM OF SPEECH AND ASSEMBLY.—Every member of any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments, or opinions; and to express at meetings of the labor organization his views, upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: *Provided,* That nothing

herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligations.

(3) DUES, INITIATION FEES, AND ASSESSMENTS.—Except in the case of a federation of national or international labor organizations, the rates of dues and initiation fees payable by members of any labor organization in effect on the date of enactment of this Act shall not be increased, and no general or special assessment shall be levied upon such members, except—

(A) in the case of a local labor organization, (i) by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or (ii) by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot; or

(B) in the case of a labor organization, other than a local labor organization or a federation of national or international labor organizations, (i) by majority vote of the delegates voting at a regular convention, or at a special convention of such labor organization held upon not less than thirty days' written notice to the principal office of each local or constituent labor organizatiaon entitled to such notice, or (ii) by majority vote of the members in good standing of such labor organization voting in a membership referendum conducted by secret ballot, or (iii) by majority vote of the members of the executive board or similar governing body of such labor organization, pursuant to express authority contained in the constitution and bylaws of such labor organization: *Provided,* That such action on the part of the executive board or similar governing body shall be effective only until the next regular convention of such labor organization.

(4) PROTECTION OF THE RIGHT TO SUE.—No labor organization shall limit the right of any member thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member of a labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator; *Provided,* That any such member may be required to exhaust reasonable hearing procedures (but not to exceed a four-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof: *And provided further,* That no interested employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance, or petition.

(5) SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION.—No member of any labor organization may be fined, suspended, expelled, or otherwise disciplined except for nonpayment of dues by such organization or by any officer thereof unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing.

(b) Any provision of the constitution and bylaws of any labor organization which is inconsistent with the provisions of this section shall be of no force or effect.

CIVIL ENFORCEMENT

Sec. 102. Any person whose rights secured by the provisions of this title have been infringed by any violation of this title may bring a civil action in a district court of the United States for such relief (including injunctions) as may be appropriate. Any such action against a labor organization shall be brought in the district court of the United States for the district where the alleged violation occurred, or where the principal office of such labor organization is located.

RETENTION OF EXISTING RIGHTS

Sec. 103. Nothing contained in this title shall limit the rights and remedies of any member of a labor organization under any State or Federal law or before any court or other tribunal, or under the constitution and bylaws of any labor organization.

RIGHT TO COPIES OF COLLECTIVE BARGAINING AGREEMENTS

Sec. 104. It shall be the duty of the secretary or corresponding principal officer of each labor organization, in the case of a local labor organization, to forward a copy of each collective bargaining agreement made by such labor organization with any employer to any employe who requests such a copy and whose rights as such employe are directly affected by such agreement, and in the case of a labor organization other than a local labor organization, to forward a copy of any such agreement to each constituent unit which has members directly affected by such agreement; and such officer shall maintain at the principal office of the labor organization of which he is an officer copies of any such agreements made or received by such labor organization, which copies shall be available for inspection by any member or by any employe whose rights are affected by such agreement. The provisions of section 210 shall be applicable in the enforcement of this section.

INFORMATION AS TO ACT

Sec. 105. Every labor organization shall inform its members concerning the provisions of this Act.

Title II—Reporting by Labor Organizations, Officers and Employes of Labor Organizations, and Employers

REPORT OF LABOR ORGANIZATIONS

Sec. 201. (a) Every labor organization shall adopt a constitution and bylaws and shall file a copy thereof with the Secretary, together with a report, signed by its president and secretary or corresponding principal officers, containing the following information—

(1) the name of the labor organization, its mailing address, and any other address at which it maintains its principal office or at which it keeps the records referred to in this title;

(2) the name and title of its officers;

(3) the initiation fee or fees required from a new or transferred member and fees for work permits required by the reporting labor organization;

(4) the regular dues or fees or other periodic payments required to remain a member of the reporting labor organization; and

(5) detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provision made and procedures followed with respect to each of the following: (A) qualifications for or restrictions on membership, (B) levying of assessments, (C) participation in insurance or other benefit plans, (D) authorization for disbursement of funds of the labor organization, (E) audit of financial transactions of the labor organization, (F) the calling of regular and special meetings, (G) the selection of officers and stewards and of any representatives to other bodies composed of labor organizations' representatives, with a specific statement of the manner in which each officer was elected, appointed, or otherwise selected, (H) discipline or removal of officers or agents for breaches of their trust, (I) imposition of fines, suspensions, and expulsions of members, including the grounds for such action and any provision made for notice, hearing, judgment on the evidence, and appeal procedures, (J) authorization for bargaining demands, (K) ratification of contract terms, (L) authorization for strikes, and (M) issuance of work permits. Any change in the information required by this subsection shall be reported to the Secretary at the time the reporting labor organization files with the Secretary the annual financial report required by subsection (b).

(b) Every labor organization shall file annually with the Secretary a financial report signed by its president and treasurer or corresponding principal officers containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for its preceding fiscal year—

(1) assets and liabilities at the beginning and end of the fiscal year:

(2) receipts of any kind and the sources thereof;

(3) salary, allowances, and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each amploye who, during such fiscal year, received more than $10,000 in the aggregate from such labor organization and any other labor organization affiliated with it or with which it is affiliated, or which is affiliated with the same national or international labor organization;

(4) direct and indirect loans made to any officer, employe, or member, which aggregated more than $250 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment;

(5) direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and

(6) other disbursements made by it including the purposes thereof; all in such categories as the Secretary may prescribe.

(c) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members, and every such labor organization and its officers shall be under a duty enforceable at the suit of any member of such organization in any State court of competent jurisdiction or in the district court of the United States for the district in which such labor organization maintains its principal office, to permit such member for just cause to examine any books, records, and accounts necessary to verify such report. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

(d) Subsections (f), (g), and (h) of section 9 of the National Labor Relations Act, as amended, are hereby repealed.

(e) Clause (i) of section 8 (a) (3) of the National Labor Relations Act, as amended, is amended by striking out the following: "and has at the time the agreement was made within the preceding twelve months received from the Board a notice of compliance with sections 9 (f), (g), (h)."

REPORT OF OFFICERS AND EMPLOYES OF LABOR ORGANIZATIONS

Sec. 202. (a) Every officer of a labor organization and every employe of a labor organization (other than an employe performing exclusively clerical or custodial services) shall file with the Secretary a signed report listing and describing for his preceding fiscal year—

(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child derived directly or indirectly from, an employer whose employes such labor organization represents or is actively seeking to represent, except payments and other benefits received as a bona fide employe of such employer;

(2) any transaction in which he or his spouse or minor child engaged, directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employes such labor organization represents or is actively seeking to represent;

(3) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employes such labor organization represents or is actively seeking to represent;

(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, a business any part of which consists of buying from, or selling or leasing directly or indirectly to, or otherwise dealing with such labor organization;

(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employes his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a bona fide employe of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employe of such employer; and

(6) any payment of money or other thing of value (including reimbursed expenses) which he or his spouse or minor child received directly or indirectly from any employer or any person who acts as a labor relations consultant to an employer, except payments of the kinds referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended.

(b) The provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) shall not be construed to require any such officer or employe to report his bona fide investments in securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934, in shares in an investment company registered under the Investment Company Act of 1940, or in securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to report any income derived therefrom.

(c) Nothing contained in this section shall be construed to require any officer or employe of a labor organization to file a report under subsection (a) unless he or his spouse or minor child holds or has held an interest, has received income or any other benefit with monetary value or a loan, or has engaged in a transaction described therein.

REPORT OF EMPLOYERS

Sec. 203. (a) Every employer who in any fiscal year made—

(1) any payment or loan, direct or indirect, of money or other thing of value (including reimbursed expenses), or any promise or agreement therefor, to any labor organization or officer, agent, shop steward, or other representative of a labor organization, or employe of any labor organization, except (A) payments or loans made by any national or State bank, credit union, insurance company, savings and loan association or other credit institution and (B) payments of the kind referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended;

(2) any payment (including reimbursed expenses) to any of his employes, or any group or committee of such employes, for the purpose of causing such employe or group or committee of employes to persuade other employes to exercise or not to exercise, or as the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing unless such payments were contemporaneously or previously diclosed to such other employes;

(3) any expenditure, during the fiscal year, where an object thereof, directly or indirectly, is to interfere with, restrain, or coerce employes in the exercise of the right to organize and bargain collectively through representatives of their own choosing, or is to obtain information concerning the activities of employes or a labor organization in connection with a labor dispute involving such employer, except for use solely in conjunction with an administrative or arbitral proceeding or a criminal or civil judicial proceeding;

(4) any agreement or arrangement with a labor relations consultant or other independent contractor or organization pursuant to which such person undertakes activities where an object thereof, directly or indirectly, is to persuade employes to exercise or not to exercise, or persuade employes as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing, or undertakes to supply such employer with information concerning the activities of employes or a labor organization in connection with a labor dispute involving such employer, except information for use solely in conjunction with an administrative or arbitral proceeding or a criminal or civil judicial proceeding: or

(5) any payment (including reimbursed expenses) pursuant to an agreement or arrangement described in subdivision (4);

shall file with the Secretary a report, in a form prescribed by him, signed by its president and treasurer or corresponding principal officers showing in detail the date and amount of each such payment, loan, promise, agreement, or arrangement and the name, address, and position, if any, in any firm or labor organization of the person to whom it was made and a full explanation of the circumstances of all such payments, including the terms of any agreement or understanding pursuant to which they were made.

(b) Every person who pursuant to any agreement or arrangement with an employer undertakes activities where an object thereof is, directly or indirectly—

(1) to persuade employes to exercise or not to exercise, or persuade employes as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing; or

(2) to supply an employer with information concerning the activities of employes or a labor organization in connection with a labor dispute involving such employer, except information for use solely in conjunction with an administrative or arbitral proceeding or a criminal or civil judicial proceeding;

shall file within thirty days after entering into such agreement or arrangement a report with the Secretary, signed by its president and treasurer or corresponding principal officers, containing the name under which such person is engaged in doing business and the address of its principal office, and a detailed statement of the terms and conditions of such agreement or arrangement. Every such person shall file annually, with respect to each fiscal year during which payments were made as a result of such an agree-

ment or arrangement, a report with the Secretary, signed by its president and treasurer or corresponding principal officers, containing a statement (A) of its receipts of any kind from employers on account of labor relations advice or services, designating the sources thereof, and (B) of its disbursements of any kind, in connection with such services and the purposes thereof. In each such case such information shall be set forth in such categories as the Secretary may prescribe.

(c) Nothing in this section shall be construed to require any employer or other person to file a report covering the services of such person by reason of his giving or agreeing to give advice to such employer or representing or agreeing to represent such employer before any court, administrative agency, or tribunal of arbitration or engaging or agreeing to engage in collective bargaining on behalf of such employer with respect to wages, hours, or other terms or conditions of employment or the negotiation of an agreement or any question arising thereunder.

(d) Nothing contained in this section shall be construed to require an employer to file a report under subsection (a) unless he has made an expenditure, payment, loan, agreement, or arrangement of the kind described therein. Nothing contained in this section shall be construed to require any other person to file a report under subsection (b) unless he was a party to an agreement or arrangement of the kind described therein.

(e) Nothing contained in this section shall be construed to require any regular officer, supervisor, or employe of an employer to file a report in connection with services rendered to such employer nor shall any employer be required to file a report covering expenditures made to any regular officer, supervisor, or employe of an employer as compensation for service as a regular officer, supervisor, or employe of such employer.

(f) Nothing contained in this section shall be construed as an amendment to, or modification of the rights protected by, section 8(c) of the National Labor Relations Act, as amended.

(g) The term "interfere with, restrain, or coerce" as used in this section means interference, restraint, and coercion which, if done with respect to the exercise of rights guaranteed in section 7 of the National Labor Relations Act, as amended, would, under section 8(a) of such Act, constitute an unfair labor practice.

ATTORNEY-CLIENT COMMUNICATIONS EXEMPTED

Sec. 204. Nothing contained in this Act shall be construed to require an attorney who is a member in good standing of the bar of any State, to include in any report required to be filed pursuant to the provisions of this Act any information which was lawfully communicated to such attorney by any of his clients in the course of a legitimate attorney-client relationship.

REPORTS MADE PUBLIC INFORMATION

Sec. 205. (a) The contents of the reports and documents filed with the Secretary pursuant to sections 201, 202, and 203 shall be public information, and the Secretary may publish any information and data which he obtains pursuant to the provisions of this title. The Secretary may use the information and data for statistical and research purposes, and compile and publish such studies, analyses, reports, and surveys based thereon as he may deem appropriate.

(b) The Secretary shall by regulation make reasonable provision for the inspection and examination, on the request of any person, of the information and data contained in any report or other document filed with him pursuant to section 201, 202, or 203.

(c) The Secretary shall by regulation provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Secretary pursuant to this title, upon payment of a charge based upon the cost of the service. The Secretary shall make available without payment of a charge, or require any person to furnish, to such State agency as is designated by law or by the Governor of the State in which such person has his principal place of business or headquarters, upon request of the Governor of such State, copies of any reports and documents filed by such person with the Secretary pursuant to section 201, 202, or 203, or of information and data contained therein. No person shall be required by reason of any law of any State to furnish to any officer or agency of such State any information included in a report filed by such person with the Secretary pursuant to the provisions of this title, if a copy of such report, or of the portion thereof containing such information, is furnished to such officer or agency. All moneys received in payment of such charges fixed by the Secretary pursuant to this subsection shall be deposited in the general fund of the Treasury.

RETENTION OF RECORDS

Sec. 206. Every person required to file any report under this title shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Secretary may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions, and shall keep such records available for examination for a period of not less than five years after the filing of the documents based on the information which they contain.

EFFECTIVE DATE

Sec. 207. (a) Each labor organization shall file the initial report required under section 201(a) within ninety days after the date on which it first becomes subject to this Act.

(b) Each person required to file a report under section 201(b), 202, 203(a), or the second sentence of 203(b) shall file such report within ninety days after the end of each of its fiscal years; except that where such person is subject to section 201(b), 202, 203(a), or the second sentence of 203(b), as the case may be, for only a portion of such fiscal year (because the date of enactment of this Act occurs during such person's fiscal year or such person becomes subject to this Act during its fiscal year) such person may consider that portion as the entire fiscal year in making such report.

RULES AND REGULATIONS

Sec. 208. The Secretary shall have authority to issue, amend, and rescind rules and regulations prescribing the form and publication of reports required to be filed under this title and such other reasonable rules and regulations (including rules prescribing reports concerning trusts in which a labor organization is interested) as he may find necessary to prevent the circumvention or evasion of such reporting requirements. In exercising his power under this section the Secretary shall prescribe by general rule simplified reports for labor organizations or employers for whom he finds that by virtue of their size a detailed report would be unduly burdensome, but the Secretary may revoke such provision for simplified forms of any labor organization or employer if he determines, after such investigation as he deems proper and due notice and opportunity for a hearing, that the purposes of this section would be served thereby.

CRIMINAL PROVISIONS

Sec. 209. (a) Any person who willfully violates this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report, or other information required under the provisions of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(c) Any person who willfully makes a false entry in or willfully conceals, withholds, or destroys any books, records, reports, or statements required to be kept by any provision of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(d) Each individual required to sign reports under sections 201 and 203 shall be personally responsible for the filing of such reports and for any statement contained therein which he knows to be false.

CIVIL ENFORCEMENT

Sec. 210. Whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, the Secretary may bring a civil action for such relief (including injunctions) as may be appropriate. Any such action may be brought in the district court of the United States where the violation occurred or, at the option of the parties, in the United States District Court for the District of Columbia.

Title III—Trusteeships

REPORTS

Sec. 301. (a) Every labor organization which has or assumes trusteeship over any subordinate labor organization shall file with

the Secretary within thirty days after the date of the enactment of this Act or the imposition of any such trusteeship, and semi-annually thereafter, a report, signed by its president and treasurer or corresponding principal officers, as well as by the trustees of such subordinate labor organization, containing the following information: (1) the name and address of the subordinate organization; (2) the date of establishing the trusteeship; (3) a detailed statement of the reason or reasons for establishing or continuing the trusteeship; and (4) the nature and extent of participation by the membership of the subordinate organization in the selection of delegates to represent such organization in regular or special conventions or other policy-determining bodies and in the election of officers of the labor organization which has assumed trusteeship over such subordinate organization. The initial report shall also include a full and complete account of the financial condition of such subordinate organization as of the time trusteeship was assumed over it. During the continuance of a trusteeship the labor organization which has assumed trusteeship over a subordinate labor organization shall file on behalf of the subordinate labor organization the annual financial report required by section 201(b) signed by the president and treasurer or corresponding principal officers of the labor organization which has assumed such trusteeship and the trustees of the subordinate labor organization.

(b) The provisions of section 201(c), 205, 206, 208, and 210 shall be applicable to reports filed under this title.

(c) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(d) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any report required under the provisions of this section or willfully makes any false entry in or willfully withholds, conceals, or destroys any documents, books, records, reports, or statements upon which such report is based, shall be fined not more than $10,000 or imprisoned for not more than one year or both.

(e) Each individual required to sign a report under this section shall be personally responsible for the filing of such report and for any statement contained therein which he knows to be false.

PURPOSES FOR WHICH A TRUSTEESHIP MAY BE ESTABLISHED

Sec. 302. Trusteeships shall be established and administered by a labor organization over a subordinate body only in accordance with the constitution and bylaws of the organization which has assumed trusteeship over the subordinate body and for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization.

UNLAWFUL ACTS RELATING TO LABOR ORGANIZATION UNDER TRUSTEESHIP

Sec. 303. (a) During any period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful (1) to count the vote of delegates from such body in any convention or election of officers of the labor organization unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of such subordinate body were eligible to participate, or (2) to transfer to such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship: *Provided,* That nothing herein contained shall prevent the distribution of the assets of a labor organization in accordance with its constitution and bylaws upon the bona fide dissolution thereof.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

ENFORCEMENT

Sec. 304. (a) Upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated the provisions of this title (except section 301) the Secretary shall investigate the complaint and if the Secretary finds probable cause to believe that such violation has occurred and has not been remedied he shall, without disclosing the identity of the complainant, bring a civil action in any district court of the United States having jurisdiction of the labor organization for such relief (including injunctions) as may be appropriate. Any member or subordinate body of a labor organization affected by any violation of this title (except section 301) may bring a civil action in any district court of the United States having jurisdiction of the labor organization for such relief (including injunctions) as may be appropriate.

(b) For the purpose of actions under this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization (1) in the district in which the principal office of such labor organization is located, or (2) in any district in which its duly authorized officers or agents are engaged in conducting the affairs of the trusteeship.

(c) In any proceeding pursuant to this section a trusteeship established by a labor organization in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified after a fair hearing either before the executive board or before such other body as may be provided in accordance with its constitution or bylaws shall be presumed valid for a period of eighteen months from the date of its establishment and shall not be subject to attack during such period except upon clear and convincing proof that the trusteeship was not established or maintained in good faith for a purpose allowable under section 302. After the expiration of eighteen months the trusteeship shall be presumed invalid in any such proceeding and its discontinuance shall be decreed unless the labor organization shall show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 302. In the latter event the court may dismiss the complaint or retain jurisdiction of the cause on such conditions and for such period as it deems appropriate.

REPORT TO CONGRESS

Sec. 305. The Secretary shall submit to the Congress at the expiration of three years from the date of enactment of this Act a report upon the operation of this title.

COMPLAINT BY SECRETARY

Sec. 306. The rights and remedies provided by this title shall be in addition to any and all other rights and remedies at law or in equity: *Provided,* That upon the filing of a complaint by the Secretary the jurisdiction of the district court over such trusteeship shall be exclusive and the final judgment shall be resjudicata.

Title IV—Elections

TERMS OF OFFICE; ELECTION PROCEDURES

Sec. 401. (a) Every national or international labor organization, except a federation of national or international labor organizations, shall elect its officers not less often than once every five years either by secret ballot among members in good standing or at a convention of delegates chosen by secret ballot.

(b) Every local labor organization shall elect its officers not less often than once every three years by secret ballot among the members in good standing.

(c) Every national or international labor organization, except a federation of national or international labor organizations, and every local labor organization, and its officers, shall be under a duty, enforceable at the suit of any bona fide candidate for office in such labor organization in the district court of the United States in which such labor organization maintains its principal office, to comply with all reasonable requests of any candidate to distribute by mail or otherwise at the candidate's expense campaign literature in aid of such person's candidacy to all members in good standing of such labor organization and to refrain from discrimination in favor of or against any candidate with respect to the use of lists of members, and whenever such labor organizations or its officers authorize the distribution by mail or otherwise to members of campaign literature on behalf of any candidate or of the labor organization itself with reference to such election, similar distribution at the request of any other bona fide candidate shall be made by such labor organization and its officers, with equal treatment as to the expense of such distribution. Every bona fide candidate shall have the right, once within 30 days prior to an election of a labor organization in which he is a candidate, to inspect a list containing the names and last known addresses of all members of the labor organization who are subject to a collective bargaining agreement requiring membership therein as a condition of employment, which list shall be maintained and kept at the principal office of such labor organization by a desig-

nated official thereof. Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to have an observer at the polls and at the counting of the ballots.

(d) Officers of intermediate bodies, such as general committees, system boards, joint boards, or joint councils, shall be elected not less often than once every four years by secret ballot among the members in good standing or by labor organization officers representative of such members who have been elected by secret ballot.

(e) In any election required by this section which is to be held by secret ballot a reasonable opportunity shall be given for the nomination of candidates and every member in good standing shall be eligible to be a candidate and to hold office (subject to section 504 and to reasonable qualifications uniformly imposed) and shall have the right to vote for or otherwise support the candidate or candidates of his choice, without being subject to penalty, discipline, or improper interference or reprisal of any kind by such organization or any member thereof. Not less than fifteen days prior to the election notice thereof shall be mailed to each member at his last known home address. Each member in good standing shall be entitled to one vote. No member whose dues have been withheld by his employer for payment to such organization pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote or be a candidate for office in such organization by reason of alleged delay or default in the payment of dues. The votes cast by members of each local labor organization shall be counted, and the results published, separately. The election officials designated in the constitution and bylaws or the secretary, if no other official is designated, shall preserve for one year the ballots and all other records pertaining to the election. The election shall be conducted in accordance with the constitution and bylaws of such organization insofar as they are not inconsistent with the provisions of this title.

(f) When officers are chosen by a convention of delegates elected by secret ballot, the convention shall be conducted in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with the provisions of this title. The officials designated in the constitution and bylaws or the secretary, if no other is designated, shall preserve for one year the credentials of the delegates and all minutes and other records of the convention pertaining to the election of officers.

(g) No moneys received by any labor organization by way of dues, assessment, or similar levy, and no moneys of an employer shall be contributed or applied to promote the candidacy of any person in an election subject to the provisions of this title. Such moneys of a labor organization may be utilized for notices, factual statements of issues not involving candidates, and other expenses necessary for the holding of an election.

(h) If the Secretary, upon application of any member of a local labor organization, finds after hearing in accordance with the Administrative Procedure Act that the constitution and bylaws of such labor organization do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, such officer may be removed, for cause shown and after notice and hearing, by the members in good standing voting in a secret ballot conducted by the officers of such labor organization in accordance with its constitution and bylaws insofar as they are not inconsistent with the provisions of this title.

(i) The Secretary shall promulgate rules and regulations prescribing minimum standards and procedures for determining the adequacy of the removal procedures to which reference is made in subsection (h).

ENFORCEMENT

Sec. 402. (a) A member of a labor organization—

(1) who has exhausted the remedies available under the constitution and bylaws of such organization and of any parent body, or

(2) who has invoked such available remedies without obtaining a final decision within three calendar months after their invocation,

may file a complaint with the Secretary within one calendar month thereafter alleging the violation of any provision of section 401 (including violation of the constitution and bylaws of the labor organization pertaining to the election and removal of officers). The challenged election shall be presumed valid pending a final decision thereon (as hereinafter provided) and in the interim the affairs of the organization shall be conducted by the officers elected or in such other manner as its constitution and bylaws may provide.

(b) The Secretary shall investigate such complaint and, if he finds probable cause to believe that a violation of this title has occurred and has not been remedied, he shall, within sixty days after the filing of such complaint, bring a civil action against the labor organization as an entity in the district court of the United States in which such labor organization maintains its principal office to set aside the invalid election, if any, and to direct the conduct of an election or hearing and vote upon the removal of officers under the supervision of the Secretary and in accordance with the provisions of this title and such rules and regulations as the Secretary may prescribe. The court shall have power to take such action as it deems proper to preserve the assets of the labor organization.

(c) If, upon a preponderance of the evidence after a trial upon the merits, the court finds—

(1) that an election has not been held within the time prescribed by section 401, or

(2) that the violation of section 401 may have affected the outcome of an election,

the court shall declare the election, if any, to be void and direct the conduct of a new election under supervision of the Secretary and, so far as lawful and practicable, in conformity with the constitution and bylaws of the labor organization. The Secretary shall promptly certify to the court the names of the persons elected, and the court shall thereupon enter a decree declaring such persons to be the officers of the labor organization. If the proceeding is for the removal of officers pursuant to subsection (h) of section 401, the Secretary shall certify the results of the vote and the court shall enter a decree declaring whether such persons have been removed as officers of the labor organization.

(d) An order directing an election, dismissing a complaint, or designating elected officers of a labor organization shall be appealable in the same manner as the final judgment in a civil action, but an order directing an election shall not be stayed pending appeal.

APPLICATION OF OTHER LAWS

Sec. 403. No labor organization shall be required by law to conduct elections of officers with greater frequency or in a different form or manner than is required by its own constitution or bylaws, except as otherwise provided by this title. Existing rights and remedies to enforce the constitution and bylaws of a labor organization with respect to elections prior to the conduct thereof shall not be affected by the provisions of this title. The remedy provided by this title for challenging an election already conducted shall be exclusive.

EFFECTIVE DATE

Sec. 404. The provisions of this title shall become applicable—

(1) ninety days after the date of enactment of this Act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers or governing body, or

(2) where such modification can only be made by a constitutional convention of the labor organization, not later than the next constitutional convention of such labor organization after the date of enactment of this Act, or one year after such date, whichever is sooner. If no such convention is held within such one-year period, the executive board or similar governing body empowered to act for such labor organization between conventions is empowered to make such interim constitutional changes as are necessary to carry out the provisions of this title.

Title V—Safeguards for Labor Organizations

FIDUCIARY RESPONSIBILITY OF OFFICERS OF LABOR ORGANIZATIONS

Sec. 501. (a) The officers, agents, shop stewards, and other representatives of a labor organization occupy positions of trust in relation to such organization and its members as a group. It is, therefore, the duty of each such person, taking into account the special problems and functions of a labor organization, to hold its money and property solely for the benefit of the organization and its members and to manage, invest, and expend the same in accordance with its constitution and bylaws and any resolutions of the governing bodies adopted thereunder, to refrain from dealing with such organization as an adverse party or in behalf of an adverse party in any matter connected with his duties and

from holding or acquiring any pecuniary or personal interest which conflicts with the interests of such organization, and to account to the organization for any profit received by him in whatever capacity in connection with transactions conducted by him or under his direction on behalf of the organization. A general exculpatory provision in the constitution and bylaws of such a labor organization or a general exculpatory resolution of a governing body purporting to relieve any such person of liability for breach of the duties declared by this section shall be void as against public policy.

(b) When any officer, agent, shop steward, or representative of any labor organization is alleged to have violated the duties declared in subsection (a) and the labor organization or its governing board or officers refuse or fail to sue or recover damages or secure an accounting or other appropriate relief within a reasonable time after being requested to do so by any member of the labor organization, such member may sue such officer, agent, shop steward, or representative in any district court of the United States or in any State court of competent jurisdiction to recover damages or secure an accounting or other appropriate relief for the benefit of the labor organization. No such proceeding shall be brought except upon leave of the court obtained upon verified application and for good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of the labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation.

(c) Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use, or the use of another, any of the moneys, funds, securities, property, or other assets of a labor organization of which he is an officer, or by which he is employed, directly or indirectly, shall be fined not more than $10,000 or imprisoned for not more than five years, or both.

BONDING

Sec. 502. (a) Every officer, agent, shop steward, or other representative or employe of any labor organization (other than a labor organization whose property and annual financial receipts do not exceed $5,000 in value), or of a trust in which a labor organization is interested, who handles funds or other property thereof shall be bonded for the faithful discharge of his duties. The bond of each such person shall be fixed at the beginning of the organization's fiscal year, and shall be in an amount not less than 10 per centum of the funds handled by him and his predecessor or predecessors, if any, during the preceding fiscal year, but in no case more than $500,000. If the labor organization or the trust in which a labor organization is interested does not have a preceding fiscal year, the amount of the bond shall be, in the case of a local labor organization, not less than $1,000, and in the case of any other labor organization or of a trust in which a labor organization is interested, not less than $10,000. Such bonds shall be individual or schedule in form, and shall have a corporate surety company as surety thereon. Any person who is not covered by such bonds shall not be permitted to receive, handle, disburse, or otherwise exercise custody or control of the funds or other property of a labor organization or of a trust in which a labor organization is interested. No such bond shall be placed through an agent or broker or with a surety company in which any labor organization or any officer, agent, shop steward, or other representative of a labor organization has any direct or indirect interest. Such surety company shall be a corporate surety which holds a grant of authority from the Secretary of the Treasury under the Act of July 30, 1947 (6 U.S.C. 6-13), as an acceptable surety on Federal bonds.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

MAKING OF LOANS; PAYMENT OF FINES

Sec. 503. (a) No labor organization shall make directly or indirectly any loan or loans to any officer or employe of such organization which results in a total indebtedness on the part of such officer or employe to the labor organization in excess of $2,000.

(b) No labor organization or employer shall directly or indirectly pay the fine of any officer or employe convicted of any willful violation of this Act.

(c) Any person who willfully violates this section shall be fined not more than $5,000 or imprisoned for not more than one year, or both.

PROHIBITION AGAINST CERTAIN PERSONS HOLDING OFFICE

Sec. 504. (a) No person who is or has been a member of the Communist Party or who has been convicted of, or served any part of a prison term resulting from his conviction of, robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or a violation of title II or III of this Act, or conspiracy to commit any such crimes, shall serve—

(1) as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, or other employe (other than as an employe performing exclusively clerical or custodial duties) of any labor organization, or

(2) as a labor relations consultant to a person engaged in an industry or activity affecting commerce, or as an officer, director, agent, or employe (other than as an employe performing exclusively clerical or custodial duties) of any group or association of employers dealing with any labor organization,

during or for five years after the termination of his membership in the Communist Party, or for five years after such conviction or after the end of such imprisonment, unless prior to the end of such five-year period, in the case of a person so convicted or imprisoned, (A) his citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (B) the Board of Parole of the United States Department of Justice determines that such person's service in any capacity referred to in clause (1) or (2) would not be contrary to the purposes of this Act. Prior to making any such determination the Board shall hold an administrative hearing and shall give notice of such proceeding by certified mail to the State, county, and Federal prosecuting officials in the jurisdiction or jurisdictions in which such person was convicted. The Board's determination in any such proceeding shall be final. No labor organization or officer thereof shall knowingly permit any person to assume or hold any office or paid position in violation of this subsection.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(c) For the purposes of this section, any person shall be deemed to have been "convicted" and under the disability of "conviction" from the date of the judgment of the trial court or the date of the final sustaining of such judgment on appeal, whichever is the later event, regardless of whether such conviction occurred before or after the date of enactment of this Act.

AMENDMENT TO SECTION 302, LABOR MANAGEMENT RELATIONS ACT, 1947

Sec. 505. Subsections (a), (b), and (c) of section 302 of the Labor Management Relations Act, 1947, as amended, are amended to read as follows:

"Sec. 302. (a) It shall be unlawful for any employer or association of employers or any person who acts as a labor relations expert, adviser, or consultant to an employer or who acts in the interest of an employer to pay, lend, or deliver, or agree to pay, lend, or deliver, any money or other thing of value—

"(1) to any representative of any of his employes who are employed in an industry affecting commerce; or

"(2) to any labor organization, or any officer or employe thereof, which represents, seeks to represent, or would admit to membership, any of the employes of such employer who are employed in an industry affecting commerce; or

"(3) to any employe or group or committee of employes of such employer employed in an industry affecting commerce in excess of their normal compensation for the purpose of causing such employe or group or committee directly or indirectly to influence any other employes in the exercise of the right to organize and bargain collectively through representatives of their own choosing; or

"(4) to any officer or employe of a labor organization engaged in an industry affecting commerce with intent to influence him in respect to any of his actions, decisions, or duties as a representative of employees or as such officer or employe of such labor organization.

"(b) (1) It shall be unlawful for any person to request, demand,

receive, or accept, or agree to receive or accept, any payment, loan, or delivery of any money or other thing of value prohibited by subsection (a).

"(2) It shall be unlawful for any labor organization, or for any person acting as an officer, agent, representative, or employe of such labor organization, to demand or accept from the operator of any motor vehicle (as defined in part II of the Interstate Commerce Act) employed in the transportation of property in commerce, or the employer of any such operator, any money or other thing of value payable to such organization or to an officer, agent, representative or employe thereof as a fee or charge for the unloading, or in connection with the unloading, of the cargo of such vehicle: *Provided,* That nothing in this paragraph shall be construed to make unlawful any payment by an employer to any of his employes as compensation for their services as employes.

"(c) The provisions of this section shall not be applicable (1) in respect to any money or other thing of value payable by an employer to any of his employes whose established duties include acting openly for such employer in matters of labor relations or personnel administration or to any representative of his employes, or to any officer or employe of a labor organization, who is also an employe or former employe of such employer, as compensation for, or by reason of, his service as an employe of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement, or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employes in payment of membership dues in a labor organization: *Provided,* That the employer has received from each employe, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employes of such employer, and their families and dependents (or of such employes, families, and dependents jointly with the employes of other employers making similar payments, and their families and dependents): *Provided,* That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employes, their families and dependents, for medical or hospital care, pensions on retirement or death of employes, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employes and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of employes may agree upon and in the event the employer and employe groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employes are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities; or (6) with respect to money or other thing of value paid by any employer to a trust fund established by such representative for the purpose of pooled vacation, holiday, severance or similar benefits, or defraying costs of apprenticeship or other training programs: *Provided,* That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds."

Title VI—Miscellaneous Provisions

INVESTIGATIONS

Sec. 601. (a) The Secretary shall have power when he believes it necessary in order to determine whether any person has violated or is about to violate any provision of this Act (except title I or amendments made by this Act to other statutes) to make an investigation and in connection therewith he may enter such places and inspect such records and accounts and question such persons as he may deem necessary to enable him to determine the facts relative thereto. The Secretary may report to interested persons or officials concerning the facts required to be shown in any report required by this Act and concerning the reasons for failure or refusal to file such a report or any other matter which he deems to be appropriate as a result of such an investigation.

(b) For the purpose of any investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49,50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him.

EXTORTIONATE PICKETING

Sec. 602. (a) It shall be unlawful to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual (except a bona fide increase in wages or other employe benefits) by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

RETENTION OF RIGHTS UNDER OTHER FEDERAL AND STATE LAWS

Sec. 603. (a) Except as explicitly provided to the contrary, nothing in this Act shall reduce or limit the responsibilities of any labor organization or any officer, agent, shop steward, or other representative of a labor organization, or of any trust in which a labor organization is interested, under any other Federal law or under the laws of any State, and, except as explicitly provided to the contrary, nothing in this Act shall take away any right or bar any remedy to which members of a labor organization are entitled under such other Federal law or law of any State.

(b) Nothing contained in titles I, II, III, IV, V, or VI of this Act shall be construed to supersede or impair or otherwise affect the provisions of the Railway Labor Act, as amended, or any of the obligations, rights, benefits, privileges, or immunities of any carrier, employe, organization, representative, or person subject thereto; nor shall anything contained in said titles (except section 505) of this Act be construed to confer any rights, privileges, immunities, or defenses upon employers, or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended.

EFFECT ON STATE LAWS

Sec. 604. Nothing in this Act shall be construed to impair or diminish the authority of any State to enact and enforce general criminal laws with respect to robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, or assault which inflicts grievous bodily injury, or conspiracy to commit any of such crimes.

SERVICE OF PROCESS

Sec. 605. For the purpose of this Act, service of summons, subpoena, or other legal process of a court of the United States upon an officer or agent of a labor organization in his capacity as such shall constitute service upon the labor organization.

ADMINISTRATIVE PROCEDURE ACT

Sec. 606. The provisions of the Administrative Procedure Act shall be applicable to the issuance, amendment, or rescission of any rules or regulations, or any adjudication, authorized or required pursuant to the provisions of this Act.

OTHER AGENCIES AND DEPARTMENTS

Sec. 607. In order to avoid unnecessary expense and duplication of functions among Government agencies, the Secretary may make

such arrangements or agreements for cooperation or mutual assistance in the performance of his functions under this Act and the functions of any such Agency as he may find to be practicable and consistent with law. The Secretary may utilize the facilities or services of any department, agency, or establishment of the United States or of any State or political subdivision of a State, including the services of any of its employes, with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the performance of his functions under this Act. The Attorney General or his representative shall receive from the Secretary for appropriate action such evidence developed in the performance of his functions under this Act as may be found to warrant consideration for criminal prosecution under the provisions of this Act or other Federal law.

CRIMINAL CONTEMPT

Sec. 608. No person shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Secretary or any other person in any court of the United States under the provisions of this Act unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen and empaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the district courts of the United States.

PROHIBITION ON CERTAIN DISCIPLINE BY LABOR ORGANIZATION

Sec. 609. It shall be unlawful for any labor organization, or any officer, agent, shop steward, or other representative of a labor organization, or any employe thereof to fine, suspend, expel, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of this Act. The provisions of section 102 shall be applicable in the enforcement of this section.

DEPRIVATION OF RIGHTS UNDER ACT BY VIOLENCE

Sec. 610. It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercise of any right to which he is entitled under the provisions of this Act. Any person who willfully violates this section shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

SEPARABILITY PROVISIONS

Sec. 611. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Title VII—Amendments To the Labor Management Relations Act, 1947, as Amended

FEDERAL-STATE JURISDICTION

Sec. 701. (a) Section 14 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"(c) (1) The Board, in its discretion, may, by rule of decision or by published rules adopted pursuant to the Administrative Procedure Act, decline to assert jurisdiction over any labor dispute involving any class or category of employers, where, in the opinion of the Board, the effect of such labor dispute on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction: *Provided,* That the Board shall not decline to assert jurisdiction over any labor dispute over which it would assert jurisdiction under the standards prevailing upon August 1, 1959.

"(2) Nothing in this Act shall be deemed to prevent or bar any agency or the courts of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands), from assuming and asserting jurisdiction over labor disputes over which the Board declines, pursuant to paragraph (1) of this subsection, to assert jurisdiction."

(b) Section 3(b) of such Act is amended to read as follows:

"(b) The Board is authorized to delegate to any group of three or more members any or all of the powers which it may itself exercise. The Board is also authorized to delegate to its regional directors its powers under section 9 to determine the unit appropriate for the purpose of collective bargaining, to investigate and provide for hearings, and determine whether a question of representation exists, and to direct an election or take a secret ballot under subsection (c) or (e) of section 9 and certify the results thereof, except that upon the filing of a request therefor with the Board by any interested person, the Board may review any action of a regional director delegated to him under this paragraph, but such a review shall not, unless specifically ordered by the Board, operate as a stay of any action taken by the regional director. A vacancy in the Board shall not impair the right of the remaining members to exercise all of the powers of the Board, and three members of the Board shall, at all times, constitute a quorum of the Board, except that two members shall constitute a quorum of any group designated pursuant to the first sentence hereof. The Board shall have an official seal which shall be judicially noticed."

ECONOMIC STRIKERS

Sec. 702. Section 9(c) (3) of the National Labor Relations Act, as amended, is amended by amending the second sentence thereof to read as follows: "Employes engaged in an economic strike who are not entitled to reinstatement shall be eligible to vote under such regulations as the Board shall find are consistent with the purposes and provisions of this Act in any election conducted within twelve months after the commencement of the strike."

VACANCY IN OFFICE OF GENERAL COUNSEL

Sec. 703. Section 3(d) of the National Labor Relations Act, as amended, is amended by adding after the period at the end thereof the following: "In case of a vacancy in the office of the General Counsel the President is authorized to designate the officer or employe who shall act as General Counsel during such vacancy, but no person or persons so designated shall so act (1) for more than forty days when the Congress is in session unless a nomination to fill such vacancy shall have been submitted to the Senate, or (2) after the adjournment sine die of the session of the Senate in which such nomination was submitted."

BOYCOTTS AND RECOGNITION PICKETING

Sec. 704. (a) Section 8(b) (4) of the National Labor Relations Act, as amended, is amended to read as follows:

"(4)(i) to engage in, or to induce or encourage any individual employed by any person engaged in commerce or in an industry affecting commerce to engage in, a strike or a refusal in the course of his employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services; or (ii) to threaten, coerce, or restrain any person engaged in commerce or in an industry affecting commerce, where in either case an object thereof is—

"(A) forcing or requiring any employer or self-employed person to join any labor or employer organization or to enter into any agreement which is prohibited by section 8 (e);

"(B) forcing or requiring any person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employes unless such labor organization has been certified as the representative of such employes under the provisions of section 9: *Provided,* That nothing contained in this clause (B) shall be construed to make unlawful, where not otherwise unlawful, any primary strike or primary picketing;

"(C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employes if another labor organization has been certified as the representative of such employes under the provisions of section 9;

"(D) forcing or requiring any employer to assign particular work to employes in a particular labor organization or in a particular trade, craft, or class rather than to employes in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employes performing such work:

Provided, That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employes of such employer are engaged in a strike ratified or approved by a representative of such employes whom such employer is required to recognize under this Act: *Provided, further*, That for the purposes of this paragraph (4) only, nothing contained in such paragraph shall be construed to prohibit publicity, other than picketing, for the purpose of truthfully advising the public, including consumers and members of a labor organization, that a product or products are produced by an employer with whom the labor organization has a primary dispute and are distributed by another employer, as long as such publicity does not have an effect of inducing any individual employed by any person other than the primary employer in the course of his employment to refuse to pick up, deliver, or transport any goods, or not to perform any services, at the establishment of the employer engaged in such distribution;".

(b) Section 8 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"(e) It shall be an unfair labor practice for any labor organization and any employer to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, selling, transporting or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person, and any contract or agreement entered into heretofore or hereafter containing such an agreement shall be to such extent unenforcible and void: *Provided*, That nothing in this subsection (e) shall apply to an agreement between a labor organization and an employer in the construction industry relating to the contracting or subcontracting of work to be done at the site of the construction, alteration, painting, or repair of a building, structure, or other work: *Provided further*, That for the purposes of this subsection (e) and section 8(b) (4)(B) the terms 'any employer,' 'any person engaged in commerce or an industry affecting commerce,' and 'any person' when used in relation to the terms 'any other producer, processor, or manufacturer,' 'any other employer,' or 'any other person' shall not include persons in the relation of a jobber, manufacturer, contractor, or subcontractor working on the goods or premises of the jobber or manufacturer or performing parts of an integrated process of production in the apparel and clothing industry; *Provided further*, That nothing in this Act shall prohibit the enforcement of any agreement which is within the foregoing exception."

(c) Section 8(b) of the National Labor Relations Act, as amended, is amended by striking out the word "and" at the end of paragraph (5), striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon and the word "and," and adding a new paragraph as follows:

"(7) to picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer where an object thereof is forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his employes, or forcing or requiring the employes of an employer to accept or select such labor organization as their collective bargaining representative, unless such labor organization is currently certified as the representative of such employes:

"(A) where the employer has lawfully recognized in accordance with this Act any other labor organization, and a question concerning representation may not appropriately be raised under section 9(c) of this Act,

"(B) where within the preceding twelve months a valid election under section 9(c) of this Act has been conducted, or

"(C) where such picketing has been conducted without a petition under section 9(c) being filed within a reasonable period of time not to exceed thirty days from the commencement of such picketing: *Provided*, That when such a petition has been filed the Board shall forthwith, without regard to the provisions of section 9(c) (1) or the absence of a showing of a substantial interest on the part of the labor organization, direct an election in such unit as the Board finds to be appropriate and shall certify the results thereof: *Provided further*, That nothing in this subparagraph (c) shall be construed to prohibit any picketing or other publicity for the purpose of truthfully advising the public (including consumers) that an employer does not employ members of, or have a contract with, a labor organization, unless an effect of such picketing is to induce any individual employed by any other person in the course of his employment, not to pick up, deliver or transport any goods or not to perform any services.

"Nothing in this paragraph (7) shall be construed to permit any act which would otherwise be an unfair labor practice under this section 8(b)."

(d) Section 10(1) of the National Labor Relations Act, as amended, is amended by adding after the words "section 8(b)," the words "or section 8(e) or section 8(b) (7)," and by striking out the period at the end of the third sentence and inserting in lieu thereof a colon and the following: "*Provided further*, That such officer or regional attorney shall not apply for any restraining order under section 8(b) (7) if a charge against the employer under section 8(a) (2) has been filed and after the preliminary investigation, he has reasonable cause to believe that such charge is true and that a complaint should issue."

(e) Section 303(a) of the Labor Management Relations Act, 1947, is amended to read as follows:

"(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 8(b) (4) of the National Labor Relations Act, as amended."

BUILDING AND CONSTRUCTION INDUSTRY

Sec. 705. (a) Section 8 of the National Labor Relations Act, as amended by section 704 (b) of this Act, is amended by adding at the end thereof the following new subsection:

"(f) It shall not be an unfair labor practice under subsections (a) and (b) of this section for an employer engaged primarily in the building and construction industry to make an agreement covering employes engaged (or who, upon their employment, will be engaged) in the building and construction industry with a labor organization of which building and construction employes are members (not established, maintained, or assisted by any action defined in section 8(a) of this Act as an unfair labor practice), because (1) the majority status of such labor organization has not been established under the provisions of section 9 of this Act prior to the making of such agreement, or (2) such agreement requires as a condition of employment, membership in such labor organization after the seventh day following the beginning of such employment or the effective date of the agreement, whichever is later, or (3) such agreement requires the employer to notify such labor organization of opportunities for employment with such employer, or gives such labor organization an opportunity to refer qualified applicants for such employment, or (4) such agreement specifies minimum training or experience qualifications for employment or provides for priority in opportunities for employment based upon length of service with such employer, in the industry or in the particular geographical area: *Provided*, That nothing in this subsection shall set aside the final proviso to section 8(a) (3) of this Act: *Provided further*, That any agreement which would be invalid, but for clause (1) of this subsection, shall not be a bar to a petition filed pursuant to section 9(c) or 9(e)."

(b) Nothing contained in the amendment made by subsection (a) shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

PRIORITY IN CASE HANDLING

Sec. 706. Section 10 of the National Labor Relations Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"(m) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of subsection (a) (3) or (b) (2) of section 8, such charge shall be given priority over all other cases except cases of like character in the office where it is filed or to which it is referred and cases given priority under subsection (1)."

EFFECTIVE DATE OF AMENDMENTS

Sec. 707. The amendments made by this title shall take effect sixty days after the date of the enactment of this Act and no provision of this title shall be deemed to make an unfair labor practice, any act which is performed prior to such effective date which did not constitute an unfair labor practice prior thereto.

Approved September 14, 1959.

Railroads Stall Negotiations

Lyon Raps Carriers' Propaganda Campaign

THE "SPECIAL SIGNIFICANCE FOR railroad labor" in the year 1959 was underlined in a recent Chicago address by Executive Secretary A. E. Lyon of the Railway Labor Executives' Association. Lyon, a former president of our Brotherhood, observed that 1959 is a year "which has seen railroad management unleash one of the most misleading and unprincipled attacks upon railroad workers in the history of our nation." He said:

"Railroad labor — and, perhaps even more significantly, the wage standards and the working rules designed to afford safe transportation to the public and fair working conditions which railroad workers have won over the years through their unions—are today being challenged by railroad management both on a broader scale and with a more reckless disregard for the truth and the public interest than has occurred before, at least in the period of my recollection."

Cites Rail Labor Unity

Lyon, speaking at the 18th General Assembly of the American Train Dispatchers Association, added that "the days immediately ahead, when railroad labor appears to be confronted with one of the most unwise and reckless management attacks it ever has faced, may be somewhat ominous and discouraging to contemplate." But, he added:

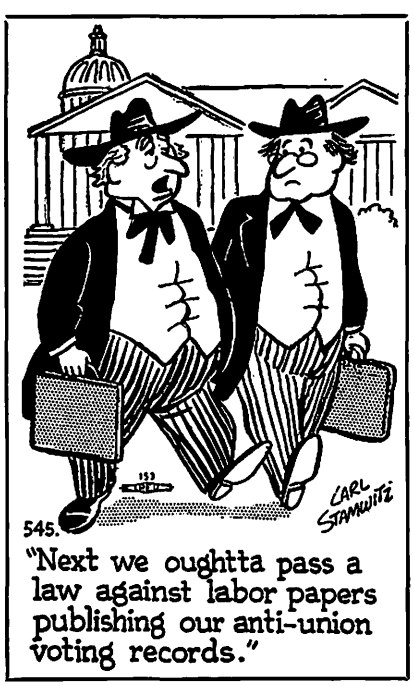
"I say without hesitation that railroad labor today is better prepared to face whatever the future may bring than at any prior time in its history. The unity of railroad labor today gives us strength we sometimes have lacked in the past, when management by dividing and playing worker against worker, craft against craft, too often forced us to settle on terms less than just because, divided, we did not have strength to win a fair and equitable settlement.

"There certainly is no such division today, but rather a firm determination on the part of all the railroad labor organizations to work together to secure just and equitable wage gains and improved working conditions for all the men and women who work for the railroads. These are the men and women, I remind you—despite all the railroads' propaganda cries of alleged "featherbedding" — who have given to the railroad industry more for their money in terms of increased productivity in recent years than the workers of any other industry."

Lyon said it was obvious that "railroad workers could not have established this unmatched productivity record if they were not one of the most highly skilled groups of workers to be found anywhere on this earth." He stated:

"Skills imply intelligence and ability, and railroad workers have proved beyond a doubt they possess both. That is why, since they have intelligence, there can be no doubt that railroad workers now know they are entitled to more pay and better working conditions than they have been getting. Moreover, since they also have ability, there can equally be no doubt that they will use that ability to bring their wages and working conditions up to a level more properly befitting the most productive workers in the history of mankind."

The RLEA executive secretary said that despite carrier propaganda to the contrary, "railroads today are a highly profitable enterprise." This makes it possible for railroad management to spend "the millions it uses to underwrite its costly advertising campaign insulting its employes by falsely accusing them of work practices the carriers say cost the nation more each year than — to cite only two fantastic charges made by the railroads—the Chicago fire or the San Francisco earthquake."



"Next we oughtta pass a law against labor papers publishing our anti-union voting records."

"Yet," declared Lyon, "all of these millions and all of this hokum cannot hide the true facts, discernible from the official reports of the railroads themselves, which are on file with the government, that railroad wage increases have lagged behind those in other industries; that railroad working conditions and fringe benefits are trailing those in other industries, or that railroad workers' output per manhour of labor has consistently been increasing faster than in other industries." He continued:

"One would logically expect railroad management to have the decency or the intelligent concern for the welfare of the industry to at least want to bring railroad wages and working conditions up to the level prevailing in other industries. After all, even if this were done, the railroads still would be getting the best bargain, in terms of labor costs, of any industry, because they would still be getting—and still not paying for, as they should be doing—the tremendous advantage the railroads have enjoyed over the years as the result of the fact that railroad workers have increased their output per manhour faster than workers in any other industry."

Carriers Reject Wage Increase

But Lyon stated that "logic and the management of the railroads today have little in common." He said:

"In the face of what all responsible labor leaders regard as a serious and potentially dangerous morale problem among railroad workers as a result of the unfair economic conditions I have just described, railroad management has seen fit to reject the modest requests for wage increases which have been filed by the workers to date, and to demand, instead, that railroad workers take wage cuts which total as much as 33 cents an hour in the case of the non-operating employes. At the same time, the carriers have seen fit to spend many millions of dollars — which they should have been spending to maintain and repair equipment—for the sole purpose of misleading the public about railroad labor's productivity and its contributions to the industry's

progress and greatly improved financial condition."

He declared that "where, as the result of mismanagement and unwise policies which have been driving business away from the railroad to other forms of transportation, there has been widespread unemployment and suffering among many thousands of displaced workers and their families, the deceitful campaign of vilification of railroad workers which management has been pursuing is not only reprehensible morally, but it is a social evil, harmful to the public welfare and the future of our nation!"

Lyon said that "in the long run, Americans are practical people and they respect the facts." He concluded:

"If words prove false, people lose respect for their authors. I think something like that already has happened to the railroads' featherbedding campaign, and as the people more and more come to recognize it for the big bunch of perfumed horsefeathers it really is, the last guffaw, I am confident, is going to be on railroad labor's side."

Meanwhile, the nation's railroads, citing numerous legalisms, are refusing to negotiate with our Brotherhood and other "non-operating" railroad unions on requests submitted to management in three national movements. A similar situation prevails in national movements involving the "operating" unions.

As this is written, the National Mediation Board has slated hearings for Nov. 3 in Chicago on an interpretation of the Nov. 1, 1956 agreement between the "non-ops" and the carriers. This was requested by the unions when management representatives insisted that a three-year "moratorium" in that agreement bars serving of notices such as those submitted in the national movement for vacation and holiday improvements. The carriers claim that the vacation-holiday notices are invalid—a contention challenged by the organizations.

A second national "non-op" movement for a wage increase of 25 cents an hour and other improvements has not yet reached the level of national negotiations or mediation.

The third movement launched by the "non-ops"—relating to rules which would safeguard employe rights in safety and sanitation, time limits on claims, and hiring practices—awaits further action by the organizations. The carriers are insisting that the rules proposed by the organizations are barred because of the agreement "moratorium" or because they are nonbargainable under the Railway Labor Act. This position, too, is being challenged by the organizations.

Meanwhile, the five "operating" unions are pushing their requests for wage increases and other improvements. The Brotherhood of Locomotive Engineers, Order of Railway Conductors and Brakemen, and Switchmen's Union of North America are requesting a 12 percent wage increase, freezing the cost-of-living adjustments in the basic wage rate, and retention of the cost-of-living escalator clause. The request of two other "operating" unions is similar, except that they seek a 14 percent wage increase.

All railroad unions—"operating" and "non-operating" alike — are confronted with carrier wage cut demands.

"Non-Ops" Get Three Cent Escalator Raise

APPROXIMATELY 650,000 NON-OPERATING railroad employes, including signalmen, received a pay increase of three cents an hour November 1. The pay increase will fatten pay envelopes by about $62 a year.

The pay hike became payable as a result of the escalator clause obtained in the Nov. 1, 1956 National Agreement which ties rates of pay to fluctuations in the cost of living.

The escalator clause which was written into the 1956 agreement was adopted as a measure of protection against inflationary pressures which might develop during the three-year term of the contract. To maintain the buying power of railroad employes, the escalator clause provides that hourly rates will be increased one cent an hour for each 0.5 point rise in the Consumer Price Index. The CPI stood at 125.2 in September. The three cent wage increase is based on this figure.

CPI in Brief

The CPI measures the average change in prices of goods and services typically bought by city families of wage earners and clerical workers. It is based on prices of about 300 items which were selected so that their price change would represent the movement of prices of all goods and services purchased by wage and clerical families.

The National Index includes prices from 20 large cities and 26 medium-sized and small cities. In calculating the index, price changes for various items in each city are averaged together with weights which represent their importance in family spending. City data then are combined in the total index with weights based on the 1950 population they represent. Index numbers are computed on the base 1947-49 equals 100.

Cost-of-living adjustments are made each six months as a result of the escalator clause in the 1956 agreement. Adjustments are made each year on November 1 and May 1. The November adjustment is based on the index figure for the preceding Sept. 15; the May adjustment on the index for March 15.

Five cost-of-living adjustments have been made since the National Agreement went into effect. The first, in May 1957, added three cents an hour to rates of pay. The second, in November 1957, added five cents an hour to wage rates. The third, on May 1, 1958, gave employes four cents an hour. The fourth, on Nov. 1, 1958, added another one cent an hour to employes' pay. The fifth, three cents, brings the total, as a result of the escalator clause, to 16 cents an hour.

Cost-of-Living Increases Not Added to Basic Rates

These increases are not added to the basic rates of pay, since they can be taken away if the cost of living goes down. However, no more can be taken away than has been added. The base from which computations are made is 117.1.

None of the wage increases or escalator clause benefits realized by our members as a result of the 1956 agreement was a voluntary contribution by the carriers. On the contrary, they resisted all moves by the unions that would aid rail employes. These benefits were secured solely by the combined efforts of our Brotherhood in conjunction with other 'non-op' rail unions.

This is further proof that a paid-up membership in our Brotherhood is the best investment you can make.

A Review of Railroad Insurance Program in 1958-59

THE NATION'S RAILROAD workers and their families received a record total of more than a billion dollars in benefits under the Railroad Retirement and Railroad Unemployment Insurance Acts during the fiscal year ended June 30, 1959. Retirement and survivor benefits were divided among 824,000 persons, and unemployment and sickness benefits, among 420,000.

Retirement and survivor benefits were both up considerably over fiscal year 1957-58, and accounted for over three-fourths of the total amount paid. Although $26 million more was paid for unemployment and sickness than in 1957-58, there were fewer beneficiaries under both programs. The 139,000 sickness beneficiaries were about 10 percent fewer than in the previous year and the smallest number in the history of the sickness program.

The following questions and answers give a more detailed picture of how railroad employes and their families benefited during 1958-59.

1. *How much money was paid in retirement and survivor benefits in the last fiscal year?*

In 1958-59, retirement and survivor benefits amounted to $781 million. Of the total, $599.1 million was paid in monthly benefits to retired railroad employes and their wives; $163.8 million in monthly benefits to families of deceased employes; and $18.1 million to survivors of deceased employes in the form of insurance lump-sum benefits and residual payments.

2. *How many people are receiving monthly benefits under the Railroad Retirement Act?*

On June 30, 1959, the end of the 1958-59 fiscal year, about 746,000 men, women, and children were receiving monthly retirement and survivor benefits under the act.

3. *About how much money is paid to these beneficiaries during a month?*

In June 1959, $74.3 million was paid to retired workers, to their wives, and to the survivors of deceased employes. During the fiscal year, total retirement and survivor benefits averaged $65.1 million a month.

4. *How many former railroad employes are receiving retirement benefits?*

At the end of the fiscal year, 367,600 retired employes were receiving an average monthly annuity of $129 and 1,300 pensioners, taken over from the private pension rolls of employers in 1937, were getting an average benefit of $89 a month. In addition, 132,100 wives of retired employes were getting an average benefit of $58 a month.

5. *How many railroad workers were awarded retirement annuities in the last fiscal year?*

About 44,400 railroad employes were awarded retirement annuities during 1958-59. Of these, 10,600, or 24 percent, retired on account of disability. In addition, 21,300 wives of railroad employes were awarded monthly annuities.

6. *How many survivors of deceased railroad employes were receiving benefits at the end of the fiscal year?*

On June 30, 1959, 186,100 widows and widowers aged 60 and over were receiving monthly benefits averaging $63; 11,800 widows with young or disabled children were receiving benefits which averaged $85 a month; 43,200 children were getting an average annuity of $55; and 1,100 parents were drawing annuities averaging $64. Also, 3,200 survivor (option) annuities were being paid an an average of $56.

7. *What is the total amount of money the Board has paid in retirement and survivor benefits since the Railroad Retirement Act was passed?*

From July 1936, when the first payments were made, through June 30, 1959, retired railroad workers, their wives, and survivors of deceased employes have received a grand total of $7.1 billion.

8. *What does it cost the Board to run the railroad retirement system for a year?*

The administrative costs in 1958-59 amounted to $9.3 million. Since total retirement and survivor benefit payments came to $781 million, about one cent out of each dollar paid was used for administration.

9. *Are the retirement taxes which are shared equally by employes and employers used to pay unemployment and sickness benefits?*

No. Unemployment and sickness benefits are paid from the railroad unemployment insurance account, which is financed entirely by payroll contributions from railroad employers.

10. *How much was paid to employes in unemployment and sickness benefits in the last fiscal year?*

In 1958-59, benefit payments for unemployment and sickness amounted to $247.9 million. Unemployment benefits came to $193.1 million and those for sickness, including maternity, to $54.8 million.

The amendments to the Railroad Unemployment Insurance Act which were enacted in May 1959, contained provisions for higher benefit rates retroactive to July 1, 1958, and for extended benefit periods retroactive to January 1, 1958. About $26.5 million of the benefits paid in 1958-59 was attributable to the amendments. When all retroactive payments have been made, the total amount paid for unemployment and sickness in 1958-59 will be higher.

11. *What do an employes' benefits amount to, at the present time, on a weekly basis?*

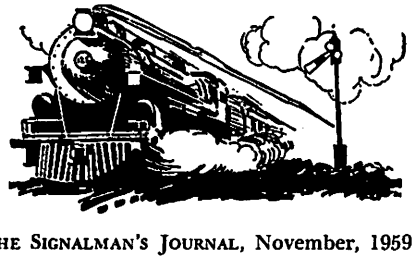
The average weekly benefit for total unemployment is about $49; that for sickness, excluding maternity, about $45.

12. *What is the total amount of money paid in unemployment and sickness benefits since they first became payable?*

From July 1, 1939, through June 30, 1959, railroad workers received $1,155 million in unemployment benefits, and from July 1, 1947, they received $487 million in sickness benefits (including maternity).

13. *How much does it cost to administer the Railroad Unemployment Insurance Act?*

Administrative costs under the unemployment insurance act came to $9.3 million in 1958-59. Since total unemployment and sickness benefit payments amounted to $247.9 million, less than 4 cents of each dollar paid out was used for administration.



Trim Diet for Trim Figure

By Dr. William A. Sawyer, I.A.M. Medical Consultant

FROM TIME TO TIME MANY questions are asked on various subjects. You may be interested in some of the answers. A common question has to do with overweight and diet. Whenever I come across some new slant or idea on this old subject, I have a desire to pass it on to you.

Dr. Herbert Pollack of a New York City Medical School says you can avoid excess weight by reducing what you eat one percent every year after age 25. People grow fat "not because they eat more but because they continue to eat the same food from year to year as they grow older." As we become less active we need less food.

With all the labor-saving devices and less walking, we do not use up as much energy. The food we do not burn up in activity we put into storage in various parts of our body.

Overweight Aggravates Many Diseases, Experts Say

One of the greatest common hazards in many diseases is overweight. Whether it be an aching back, a lame knee, heart trouble, or what have you, excess weight aggravates the condition. Eat a little less every year!

For stomach ulcers, milk is generally prescribed by the doctor as an important part of the treatment. Some people complain because they think it makes them fat. Perhaps it does if they take whole milk. Those with ulcers should try skim milk, which is fat free but has all the vitamins, minerals and proteins that you need for nourishment, without the fat. Try it. Eventually you'll learn to like it.

Instant TANG is a breakfast drink. Presumably it is offered to the public as a substitute for orange juice. It is strictly synthetic but has Vitamin C. If you like it, it's all right, but personally I'll stick with real orange juice.

Many people are asking about lowering their blood cholesterol. They have read that dairy products, butter, fatty meats, and egg yolks build up cholesterol in the blood and as a result the arteries harden. Many think they should change their diet radically as a result.

Most everyone is interested in avoiding arteriosclerosis, which is at the bottom of coronary heart disease and high blood pressure. How to do this is not entirely clear. There is general agreement that Americans would improve their health if they reduced the amount of fat that they eat.

So far as is now known, one should not attempt to eliminate fat entirely from his diet. A reasonable amount is necessary to health. I would like to say more about this interesting subject of fat in the diet. It's rather complicated and will take a number of words to make it reasonably clear. Later, I hope to give you some facts as they are now known.

A general rule which I am sure is sound is to be moderate in the amount of fat eaten and try to get a variety of other foods in your daily diet.

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Canadian 'Non-Ops' Initiate Joint Move for Higher Pay

OUR BROTHERHOOD AND 15 other Canadian non-operating rail unions have asked Canadian railways to revise present agreement to provide these major improvements:

A substantial pay hike; improved vacation benefits; and improvements in rules governing the Employe Benefit Plan.

The 16 cooperating rail unions, representing approximately 140,000 "non-ops," filed official notice on the railroads requesting the changes on November 5. The unions requested the carriers to name a date prior to December 2 to discuss the proposed changes.

The notice asked that the proposed rule changes be placed in effect on January 1, 1960 and remain in effect until December 31, 1961, subject to 60 days' notice by either party, which could be served any time prior to Oct. 31, 1961.

Here are the specific rule changes requested by the "non-ops":

- An across the board wage hike of 12½ cents an hour in addition to a seven percent increase in all existing wages.
- Expansion of existing vacation with pay rules so that employes would receive 15 working days with pay after ten years of service, and 20 working days with pay after 20 years of service.
- Extend existing agreements which provide pay for statutory holidays to include extra gang employes covered by Brotherhood of Maintenance-of-Way Agreement No. 13.
- Adopt rules which would provide that employes would be paid every second Thursday, or the last regular work day preceding such Thursday.
- Adoption of a rule that would provide that, should the underwriters of the Employe Benefit Plan increase their rates, the increase would be shared equally by the railways and the employes.

H. A. Stockdale, grand lodge representative in Canada, will represent our Brotherhood during the forthcoming negotiations. Coming issues of the *Journal* will publish more details on the joint move as they become known.

LOCAL LODGE NEWS

By, for and about B. of R. S. members

P.R.R.

PHILADELPHIA, PA (18). Our local is feeling the effects of the steel strike, with a number of members furloughed, positions abolished and combined, along with lack of budget money causing work for our department to be curtailed. All of us hope to see the end of this steel stalemate very soon.

As usual, our Lodge meetings have had very poor attendance. From over 90 working members—most of whom reside within 10 miles of our meeting place—there were only 10 at this meeting, eight of whom were officers.

I wonder if the Brothers are satisfied with having no voice in their own affairs. Are they pleased with the way others speak for them? Or is it that they just don't care how things are managed?

It is a blessing that our Local, our System Committee and our Grand Lodge have officers of integrity or we would soon be back in the "dark ages" in our working conditions, hours, and wages. The best organization can be ruined by members who don't attend meetings and vote on important matters!

We lost a faithful member in September with the passing of Brother Michael Walsh. "Mike" was a cheery little Irishman who gave generously of his time and talents. He last worked as a signalman in the T & S gang, doing carpentry work until he retired in December 1954. He earned the high regard of all who knew him by his clean living and kindly disposition.

Our local has had a number of retirements in recent months. Harry Schory and Ernest Scarborough finished up many years of service. Harry was a skillful mechanic and a credit to his craft, always ready with helpful advice or instruction to a younger Brother. "Ernie" Scarborough, known for his talents as a wireman and installer, was a hard worker and gave his best to the job at hand. He will be sorely missed around the signal shop that he kept in such good shape until his retirement day arrived.

Brother Joe Barrett, megger man in the test department, has had to accept retirement due to his physical condition. Joe, a former power line megger man, was a "crackerjack" in his work. His talents will be missed by brother signalmen.

Brother Bill Kissell also has reached the end of his service years. Bill was assistant foreman in the construction gang for many years, and finally assistant foreman relief in the power director's office, representing the T&S supervisor on trouble calls and emergencies. He was a well-versed signalman, able to handle each assignment with ease and ability. Also, we should mention that no one has been more faithful in visiting sick members and retired Brothers than Bill. He has spread good cheer many times where needed and his kindness will live in memory for years to come.

Officers and members extend best wishes for many happy retirement years to each of these Brothers.

On our sick list are Dave Simpson, "Duke" Gould, Fred Page, and Art Terrieri. We hope they are soon well and able to be back on the job. We are glad to learn that Assistant T & T Inspector Guy Musser is back at work, following abdominal surgery and a period of recuperation. Brother Ed Lyons also is back at work, following another period of absence due to illness. Brothers Warren Sims and Nick Marra have both returned to work, following recent illness.

Chief Signalman Bill Burt passed out cigars the night of our September meeting, following the birth of a daughter. That's a real good reason for being absent, but it can be used only once a year. Anyway, congratulations, Bill! Congratulations also to "Moon" Mullins, T & T maintainer, who recently moved into his new home in Jersey.

Local 18 is anxious to keep in touch with its retired members, so won't you please send a card with your name and address to Paul W. Hargrave, Recording Secretary, 240 Center Street, Haddonfield, New Jersey. This will let us know your present whereabouts. Send us the name and address of any other retired members you know of, who might not read this request.

PAUL W. HARGRAVE

WANTED

RAILWAY SIGNAL SYSTEM CIRCUIT DESIGNERS and DETAILERS

Opportunities for men in circuit design and detail positions at various levels. Some railroad experience desirable. Minimum requirements: high school education and at least 4 years' experience, or higher technical education with some experience.

Salary commensurate with education and experience . . . many company benefits.

Send resume to:

Box 15
SIGNALMAN'S JOURNAL
2247 Lawrence Avenue
Chicago 25, Illinois

A. C. L.

DELAND, FLA. (84). At the September 4 meeting, called to order by Chief R. T. Williams Jr., there were five members, two officers, and one retired member present.

Brother Cannon reported on several cases now being handled. Brothers J. R. Bonner and Ray Haddock were reported still off work, due to illness.

R. S. Clark's proposition for membership was taken up. Brother Cannon had correspondence showing that Clark had been transferred to the mechanical department. For this reason it was necessary to return Clark's application, check for initiation fee, and one quarter dues, as he could not hold seniority in both the signal and mechanical departments.

Brother Cannon read copy of notice regarding force reduction due to abolition of helpers on our construction gangs; 14 men were affected by this cut-off.

Chief R. T. Williams directed our attention to the financial audit of Grand Lodge, reported in the *Signalman's Journal*. The General Chairman read the financial report furnished by the financial secretary, who was unable to attend this meeting.

Brother W. E. Ogier, recently retired, gave a very helpful short talk for the good of all present.

Until further notice, all members are requested to send fourth quarter dues—which are still $9.50—to R. D. Williams, Deland, Fla.

These are critically important days for all of us, so let's each one try to attend every meeting, if possible.

R. D. WILLIAMS

P.R.R.—P.R.S.L.

MAGNOLIA, N. J. (58). Our regular meeting was held October 14. Brother Hargrave reported that positions of those with 30 days on the sick list are not being advertised. The members asked him to have these positions advertised, as the rules require.

A ballot was sent out for a vote to see if the P.R.S.L. wished to have a local chairman for that district. I hope the ballots are returned promptly, so we may know where we stand on the subject.

There was a report regarding maintainers being taken off their sections and used for gang work. Also, members were asked to report to the towers, instead of Westville shop for the start of the tour of duty.

Our annual Christmas party will be held December 9, 1959. The fee will be $1.75 this year and, as you all know, there will be plenty of door prizes and refreshments at this party. Please let your secretary know if you will attend this affair. It is necessary that he know how many to prepare for.

We were glad to see so many old familiar faces at this meeting—retired Brother George Hahn was most welcome, as was our good Brother Al Postoll who has been in the hospital. Brother Ira Ensinger, who has been hospitalized, is now at his home recuperating and will be for another three or four weeks before he is able to return to work.

Brother maintainers, don't forget that the cold weather and snow are just ahead of us! Are you ready for winter?

J. L. NACK

Burlington

ASHLAND, NEB. (119). Our October meeting, held in the Hotel Lincoln, Lincoln, Neb., had 20 members present. Those traveling a great distance were D. L. Zeller, Casper, Wyo.; G. R. Webster, Aurora, Ill.; and Vice President C. S. Chandler, St. Louis, Mo. This was an important meeting, lasting four hours and 20 minutes.

Ninety-four percent of the members present from Local 119 voted for an increase of $1.50 per quarter per member on the per capita tax to Grand Lodge, effective Jan. 1, 1960. All B. of R.S. members in the United States and Canada have the privilege of voting for or against this increase through their Local Union.

We wish we had known before our meeting notices were mailed out that Brother Chandler would be with us at this meeting. It is always an inspiration to have a member from Grand Lodge present; their leadership and advice are greatly appreciated.

Brothers Tom Humphrey of Hudson, Colo. and Ludwig Wratislav of Crete, Neb. are back at work after being off due to illness. Brother Homer Snetter, Beaver Crossing, Neb., is still off duty due to a back injury. Brother Ralph Workman, Trinidad, Colo., was seriously injured in a motorcar accident. Besides lying under his motorcar, unable to free himself, for three and a half hours, he had his leg broken in three places, and many bruises. He is out of the hospital but still in a cast. A letter to Ralph at the above address would be greatly appreciated—or a note or get-well card. Why not send him one?

Yearly Cards Now Available

Special yearly cards for those members who find it convenient to pay their BofRS dues by the year in advance, are now available, Secretary-Treasurer C. L. Bromley recently announced.

The 1960 card is printed in green and gold on durable white stock.

Members desiring one of the Yearly Cards should remit their dues for the year 1960 to the financial secretary of their Local. The secretary will then report the per capita tax to Grand Lodge and the Yearly Card will be printed with the member's name and returned to the Local secretary.

Yearly Cards will be available until Mar. 31, 1960. After that time no more orders will be taken.

You can't lose if you purchase a Yearly Card because dues paid in advance will be returned if the member becomes eligible for refund due to sickness, furlough, or termination of service. However, you can help lighten the load on your secretary and guarantee yourself good standing in the Brotherhood for an entire year by purchasing one of the special cards.

Brother John Fulwood, 310 North L Street, Fremont Neb., was presented his 25-year membership pin. Brother Fulwood thanked the Local for the pin and then announced his retirement. His name has headed our roster for several years. All of us join in wishing Brother John good health and happiness during his retirement.

Brother G. R. Webster, secretary-treasurer Local 103, was a welcome visitor at this meeting. He gave a short talk concerning the activities of his Local.

G. I. PEIRCE

New Haven

STAMFORD, CONN. (34). Huguenot Lodge held its regular meeting on Friday, Oct. 2, in the Stamford YMCA. The attendance was good, the meeting was interesting and well worth the effort to attend it.

Vice President Carl K. Fields gave us a talk on the problems of Grand Lodge and answered many questions. All agreed it was enlightening to have a Grand Lodge officer present to give us first-hand information on what is of interest to all of us in these days of tough bargaining.

General Chairman W. J. Gallagher talked about his activities on the New Haven and also answered many questions.

Mr. Reynolds, a retired signalman from Omaha, Neb. who now lives in Stamford, paid us a visit.

Gus Jackel, foreman of the Bridgeport crew, and Ed Frey, maintainer, both members of Local 7, attended the meeting and took an active part, giving their opinions on various subjects brought up.

George Hammershoy, a retired signalman, paid us a visit and gave his regards to all the boys.

Paddy Hannon, retired maintainer, is feeling pretty well these days and wished to be remembered to all. He now resides at 2304 Sedgewick Avenue, Bronx; Phone —Wellington 3-9605. He would like to hear from anyone or have you visit him when in the neighborhood.

The matter of increasing the dues was thoroughly discussed at the meeting. Brother Fields pointed out the necessity of the increase in per capita tax to Grand Lodge.

The matter of jury duty pay for those called to serve, and a better hospitalization plan for pensioned employes were brought up and will be presented to the general committee and to Grand Lodge officers to progress at their first opportunity.

Items on various subjects were presented. Our meetings should increase in interest and attendance, as each of us will have a share in the outcome of negotiations now under way.

Our regular correspondent, William (Big Bill) Londrigan, and his wife are on a tour of Europe—a pilgrimage tour of big cities, starting at Lourdes, France. It has been arranged for him to speak at our next meeting, giving us the highlights and points of interest on his trip. This will replace the usual social hour.

T. F. FEWER

First-Aid Chest

First aid, quickly and properly given, may prevent serious consequences from an accident. Check your first-aid cabinet to see if it has these essentials:

Sterile gauze pads, adhesive tape, first-aid ointments, ammonia inhalants; Red Cross-approved bandages—several widths; cotton, scissors, tweezers; properly-marked medicine containers; an emitic to induce vomiting—in case of poisoning; a carefully locked compartment for potent drugs and prescriptions. Keep electrical appliances out of reach of the bathtub and lavatory, to avoid electric shock or actual electrocution.

Congressman Van Zandt, Vice President Fields Speak at Retirement Party

Congressman James E. Van Zandt of Altoona, Pa., and Vice President C. K. Fields of Washington, D.C. were the featured speakers on Friday evening, September 25, when Mountain City Lodge No. 1 held its annual banquet for retired members at the Elks Home in Huntingdon, Pa.

The guests of honor, BofRS members who retired during the past year, were: Merrill C. Merritts of Petersburg, who had 51 years of service; P. H. Yarnell of Altoona, with 42 years, and C. E. Wogan, also of Altoona, with 41 years.

James M. Myers of Alexandria, chief signalman of Local 1, welcomed the union members, their ladies and guests, and presented Charles F. Sweitzer of Altoona, chairman of the banquet committee, as toastmaster of the evening.

Toastmaster Sweitzer noted that Mountain City Lodge was formed in Altoona, Pa. in 1901, making it the oldest of the 220 Locals with nearly 15,000 members.

Guests and their wives introduced: Warren W. McMichaels of Altoona, super-

visor of signals; Charles J. Zauzig of Huntingdon, assistant supervisor; Robert Myers of Mount Union, local chairman; Jamie Van Zandt, young son of the legislator, also was presented along with Mrs. James Myers, Mrs. Robert Myers, Mrs. Sweitzer, Mrs. Fields, Mrs. McMichaels and Mrs. Zauzig.

Recording Secretary R. E. Fasciz presented tokens of appreciation to the three honored guests and expressed regret that two others, N. N. Dunn of Newport and G. S. Renno of Mifflintown, were unable to be present.

Other retired members present, some of whom spoke briefly, were: David C. Brubaker of Altoona, a charter member; Elmer J. Bupp, P. C. Merritts, Charles L. Sandrus, Vernon Tabb, Grant L. Park, Harry E. Hufford, Adam Bland, and Oscar S. Graffus of Spruce Creek, who is 87 years of age.

In introducing Congressman Van Zandt, Toastmaster Sweitzer referred to him as "a true friend of railroad labor." Van Zandt covered a number of important subjects in his talk, including the new labor reform bill, the Railroad Retirement System, inflation, foreign aid, and the Khrushchev visit to the United States.

The GOP Congressman blasted Russia's complete disregard for pacts, reminded his audience that their one aim is to communize the world, and warned that nuclear weapons and the U.S. stockpile of atomic arms are America's differential in military might today. He urged that America "keep up her guard, build and modernize her defense system, and wield that big stick in such a manner that we shall have the security to which we are entitled."

Vice President Fields warned of the "rough road immediately ahead" for the Brotherhood, noting that the labor reform bill is a "yoke we must bear." He emphasized that all 23 railroad Brotherhoods came through the investigations with "clean slates." In view of the loss in membership, Brother Fields urged members to give their full support to Grand Lodge for the "rugged road that lies ahead."

Congressman Van Zandt noted that by 1970 the U.S. will have 20 million persons over 65. "Those pensioners," he said, "will suffer because the cost of living keeps rising and the value of the dollar keeps dropping." He predicted that a national pension system will be necessary unless the government is able to correct this situation.

The Altoona Congressman told his audience that the Railroad Retirement Board is doing an outstanding job now. He said "the system, once shaky, is now sound and the best insurance system in the U.S. today."

Van Zandt also expressd his fear of our present foreign aid policy, noting that from 1950 to 1959 the U.S. sent $46.9 billion to 42 foreign countries, many of which are now producing goods that compete on the world market with American-made goods. He described as "a serious problem" the fact that our imports now exceed exports. He added that Congressman Richard M. Simpson of Huntingdon, Pa. is also a champion in this fight for a re-evaluation of our mutual security program.

As the closing feature of the evening's program an excellent floor show was presented.

JAMES M. MEYERS

Pennsylvania

NEWARK, N. J. (25). Our regular meeting was held October 8 at 4:30 p.m., chaired by Chief W. T. Brown, who congratulated everyone present; it was a fine turnout, with all officers in attendance. Keep up this good work, boys. Our chief's method is to *start on time* and keep the discussions down to a minimum. This allows time for everyone to express his opinion on the subject up for debate.

Our local has been hit very hard during the past few months, with the jobs of many Brothers abolished or blanked and other members furloughed. The prospects at this moment are not too bright. The slogan seems to be "fewer men for less money, with more work and more responsibility."

Our past chief, L. L. Cowles, was taken to the hospital on September 2 for an operation. He is still in the hospital, mending slowly. We sincerely hope for his complete and speedy recovery. A get-well card to him from the members would be appreciated.

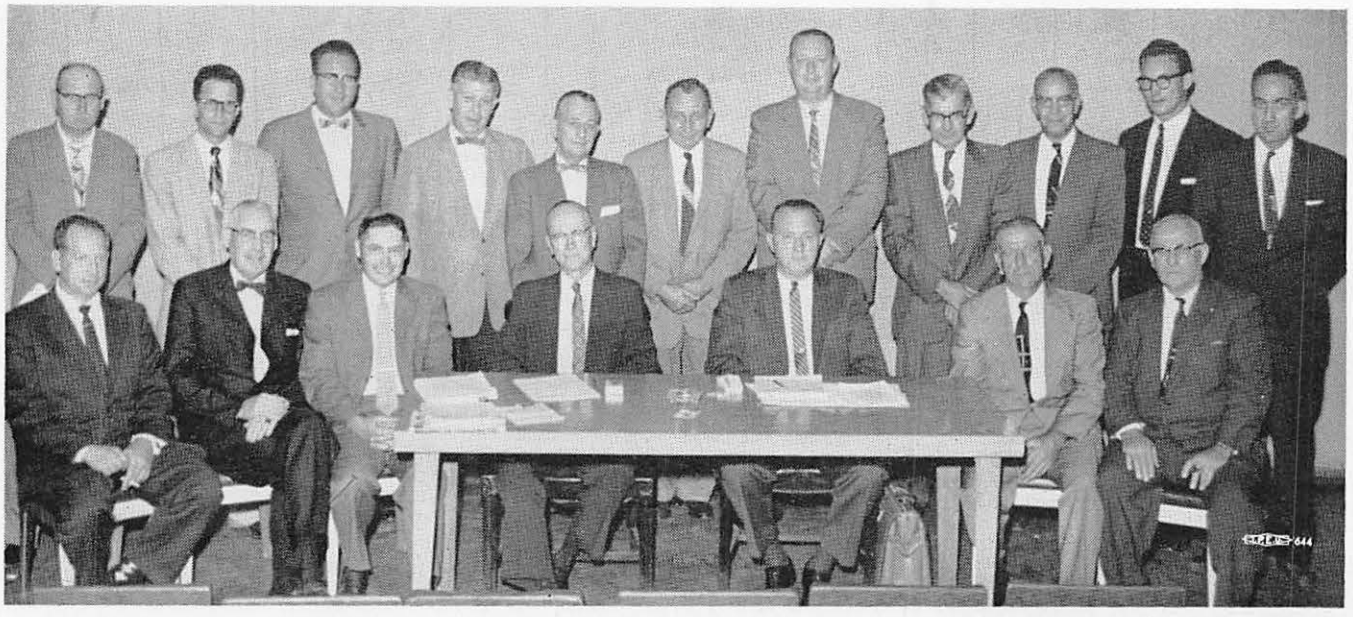
Brother James Ponisi retired from the P.R.R. on July 1, 1959, after more than 40 years of service in the signal department, where he worked until his retirement. He began work on Feb. 2, 1919 and maintained all the towers east of Rahway, N. J., at various times. He was relay inspector at Dock Tower, Newark, when he retired.

Brother Ponisi became a member of Local 25 in 1919 and was always active in our Brotherhood. He was elected recording secretary in November 1938; after serving in this position for 10 years he was elected local chairman, succeeding Brother D. A. McQuade in July 1948. At the System Committee meeting in July 1955 he was elected vice chairman of the Eastern Region, a post which he ably filled for two years.

In July 1958, Chief Brown had the unpleasant duty of accepting the resignation of Brother Ponisi as local chairman.

Jim Ponisi gave much of his time to our Local, its members and their families. He burned much midnight oil doing committee work, with no compensation whatever from the Local. We of Local 25 recognize his contribution and salute him for a job well done! The officers and members of Local 25 wish him many years of health and happiness in which to enjoy his well-earned retirement.

One of our veteran retired members celebrated his 85th birthday on October



Here are the members who attended the Eastern regional meeting held in New York on Oct. 11. The group discussed many problems confronting the Brotherhood at this time. Vice President Carl K. Fields chaired the meeting and briefed those in attendance on the Landrum-Griffin bill. Members available when photo was made are, from left to right: Front row—C. T. Heitzman, (LC-57); W. B. O'Connell, (GC-NYC-LE); G. G. Abar, Jr. (GC-B&M); Vice President Carl K. Fields; B. H. Steuerwald, grand lodge representative; W. H. White, (LC-54); W. D. Wilson, (GC-Erie). Back row—P. R. Behney, (GC-LV); R. L. Hertel, (Sec.-54); A. L. Snyder, (GC-D&H); R. B. Park, (GC-PRR); J. J. Reese, (GC-H&M); H. N. Lefever, (LC-50); R. R. Richardson, (Sec.-50); H. H. Fox Sr., (GC-CRRofNJ); H. Schirman, (LC-160); J. B. Dayke, (CRR-NJ); and C. O. Monroe, (LC-54).

14—Brother J. F. Crowley. He was a signal maintainer at "PB" Tower at old Park Place Station, Newark, N. J. for many years. All of us join in wishing him many more happy birthdays.

Even though all has not been as we would have wished it, nevertheless we do have much to be thankful for, so let us *be thankful* for the good things we have had during the past year. Officers of Local 25 extend Thanksgiving Greetings to the members and their families. LOVE

C. & N. W.

ADAMS, WIS. (39). Our regular quarterly meeting had a very small attendance—only eight members were present. This was due, no doubt, to the fact that the hunting season was open; Saturday is the only time working men have to hunt, and the geese were on their way south!

Because Chief Vern Roberts and Recording Secretary Henry Gerth were absent, Brother Leonard Smelcer was appointed acting chief, and Erwin Reinhold as secretary protem.

Chairman Lofy read a report stating that John Reinhold had been given a leave of absence to attend the University of Wisconsin.

Jake Jacobson has returned from military service and has been reinstated in the union.

Grievances pertaining to the set-offs at new locations in Oxford, Sussex and Oregon were discussed; they have been processed but as yet no action has been taken.

Brothers Farfer and Knuth, who were injured, have had their cases settled by the company.

Brother Don Dickie's name was removed from the roster as he had reenlisted in the Armed Services.

The annual picnic committee composed of Arthur Roberts of Adams, and Frank Gibbs and Erwin Reinhold of Necedah were commended on a job well done; everyone reported a good time.

Chairman Lofy reported that the company wishes to draw up a new contract with the union in regard to issuing a contract for the CTC on the Omaha.

Brothers John Reinhold and Vern Davis entered a grievance asking for expenses while acting as assistants at Winona. The General Chairman reported that, due to the fact it had been denied, he has asked for a conference with the company.

Gang One has asked for new roofing on the camp cars and screens for the windows; also for garbage cans. So far, the garbage cans are the only items forthcoming.

Due to the proposed increase of per capita tax to Grand Lodge, it was voted to raise our dues $2.00 per quarter.

Brothers Singletary and Davis received compensation for their trip to the signal shop.

Brother Paul Kemmett, Evansville, retired September 8. He was leading signalman on the test car. The position he vacated has been filled by Brother Art Roberts.

Brother Leonard Smelcer is still on the sick list. His many Brothers of the union wish him a speedy recovery. Leonard was signalman on the test car. Frank Gibbs is taking his place until he returns.

The health of Brother Herb Fandrick of Oxford has not improved. He and his wife have closed their home for the winter and have taken an apartment at Wisconsin Dells.

Gang one is in the Baraboo area retiring the pole line and placing the lines on the telegraph poles.

Gang two is in the Sussex area, moving the pole line to make room for the new industry track being laid in that area.

Best wishes to all of you for the coming holidays. ERWIN W. REINHOLD

S.P.—W.P.

SACRAMENTO, CALIF. (179). With only eight members present at our October 9 meeting, much discussion centered around our finances—rather, lack of them. It can be honestly said that all concerned are trying to watch the money situation closely. More members should take time to attend these meetings, as it is *your* money that is going to be spent. With Grand Lodge asking for a raise in per capita tax, it could well mean another increase in dues.

Brother A. D. McClintock's resignation as recording secretary was accepted, due to his taking a position as foreman of a test gang, W.P.'s Eastern Division.

Financial Secretary W. T. Gangler has agreed to accept the additional duties of recording secretary at no increase in salary —at least until something can be worked out.

On the sick list we have Brothers Pulcifer, Watts, and Burchfield of Sacramento Division, S.P., while on the Shasta Division, S.P. it is Brother G. A. Arens. We wish for all of them a speedy recovery. One new member was accepted for membership— G. D. Redmond of the Salt Lake Division, S.P. We extend him the hand of fellowship.

Many of the track motorcar takeoffs are in poor condition and continue to plague motorcar operators. At present, few complaints are coming in from the Sacramento Division, but condition of those on the Western Pacific territory needs to be improved. C. E. HART

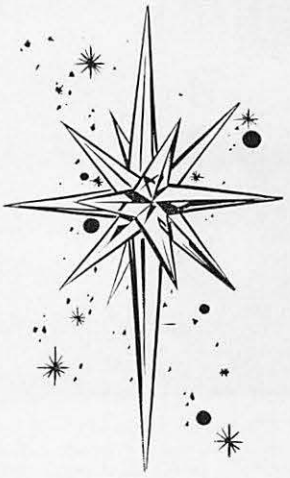
N.Y.C.—L.W.

INDIANAPOLIS IND. (15). Our meeting on Saturday, October 10 was well attended. We were pleased to have as a guest Brother Melvin Frye, Grand Lodge representative, who gave us an interesting talk during which he explained the procedures in handling claims and grievances.

Brother Frye stated that there is a rising number of grievances confronting Grand Lodge, which increases the over-all expense of this work and is one of the reasons why an increase in per capita tax to Grand Lodge is necessary. This issue will be voted on at our next regular meeting, which makes it important that *every member* make a special effort to attend.

Retired member Norm Hollowell was presented his retirement card and with it a monetary gift from his fellow workers. Brother Norm and all retired members are always welcome at our meetings.

There is in the heart of every man, along with the impulse to be loyal, the desire to gain the approval of others. It gives him a sense of well-being and security. Unfortunately, to gain such approval he will sometimes surrender his loyalties. FRANK D. POLLARD



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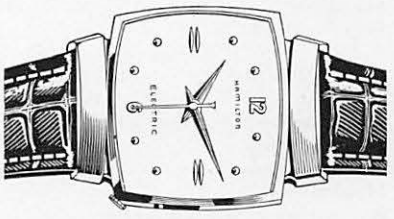

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HAMILTON

THE GIFT OF A HAMILTON—REWARD OF LOVE

Local 39's annual picnic was held recently in Castle Rock Park, Juneau County, Wisconsin. As photo at left indicates, a record attendance of members, their families and guests had an enjoyable time. The photo at right shows three of the Local's retired members, posed with Local Chairman Richard Lofy. In the usual order, they are: Brothers Lofy, H. M. Lueck, Fred Johnson, and Ray Stanton. (Photos courtesy Juneau County Chronicle)

C. & N. W.

NECEDAH, WIS. (39). Members of Local 39 and their families enjoy getting together occasionally for a good old-fashioned picnic, with plenty of good food and fellowship. The third annual event of this kind was held August 18 at Castle Rock Park in Juneau County, Wis.

For the first time, we had the pleasure of having three of our retired Brothers present: Fred Johnson of Westfield; Ray Stanton of Princeton, and H. M. Lueck of Winona, Minn.

This year a buffet-style lunch was served. The members brought many different articles of food, and the union itself furnished hot dogs, ice cream, and plenty of pop.

Much success is due to those in charge of arrangements for the day—Brothers Erwin Reinhold and Frank Gibbs of Necedah, and Art Roberts of Adams. District Signal Foreman Al Cherveny, of Adams, Wis. was among those high in praise of the outing.

Altogether, the results were so successful that chances are Local 39 will hold another picnic next year.

E. W. REINHOLD

Wabash

DECATUR, ILL. (55). Our October meeting in Decatur was interesting and informative; there were 15 members present. We were honored to have with us Secretary-Treasurer C. L. Bromley from Grand Lodge. Brother Bromley answered some important questions for members and gave a talk on the need of an increase in per capita tax to Grand Lodge.

Now that the hot weather is over and our meeting place will be more comfortable, we are hopeful that more members will attend union meetings. For example, at the August meeting in Montpelier we did not have enough members present to hold a meeting. This is bad, for things come up each time we meet that are of importance to everyone. From the standpoint of economy it has been suggested and voted that we establish the following meeting points: Moberly for the west end; Fort Wayne for the east end; and Decatur for the central district. The welfare of every member is at stake, so why not attend these meetings and vote on important issues?

With the gangs: Waldo Throne is at Adrian, Mich. on a flasher job; Joe Sharp is at Dawson, Ill. on the passing track change; and P. E. Dawson is at Berkeley, Mo. on a flasher job.

With the testmen: R. E. Pettus is at Hannibal, Mo.; F. G. Bartley is at Gibson City, Ill.; H. E. Martin is at Peru, Ind.; J. G. Bartley is on the Montpelier, Ohio territory; and Carl Jacobsen is on the Moberly territory.

With the three-man gangs: E. R. Albert is on the Moberly territory; C. D. Law is at Decatur, Ill.; C. V. Aiken is on the north end out of Decatur; Paul Lennon is on the Peru, Ind. territory; and Leo Bostick is on the Montpelier, Ohio territory.

Personnel changes: K. E. Little has bid in the maintainer job at Springfield, Ill.; Joe Griskull has bid in the maintainer job at Albia, Iowa; C. E. Collins, the maintainer job at Illiopolis, Ill.; and P. E. Dawson has bid in the gang foreman job recently vacated by E. R. Albert.

It is with sadness that we report the death of Brother Carl Wilson on Oct. 11, 1959. Brother Wilson was 65, and had spent most of his life in and around Decatur. He worked with the shop forces on the Wabash before joining the signal department, where he worked for 35 years.

Brother Wilson was our general chairman for a good many years and did a fine job. He has been a pillar of strength in the organization during his entire membership. He is survived by his widow, one daughter and one grandchild to whom we express deepest sympathy. J.F.P.

B & O

PHILLIPI, W. VA. (31). The eighth annual fellowship banquet of signalmen of the Monongah Division, together with their wives and guests, was enjoyed Saturday evening, September 12. It was held in the Pine Room at Cozy Rest Restaurant near Grafton, W. Va. R. E. McDaniel gave the invocation.

After the dinner, H. A. Rickey, banquet committee president, introduced the toastmaster of the evening—Lawrence Hanlon Jr. Mr. Hanlon spoke briefly, then introduced Secretary-Treasurer C. B. Bruno—Local 94; Cumberland Division Local Chairman B. L. Cowgill; Secretary-Treasurer G. A. DeLozier—Local 31; Monongah Division Signal Inspector R. M. Thorn; and Signal Maintainer O. G. Mayle, each of whom made a short talk, appropriate to the occasion.

Brother Cowgill extended an invitation to a dinner to be held in Cumberland, Md. on October 24, honoring retired members H. P. Logsdon, W. L. Avery, E. E. Danhart, Jimmy Machmer and Charlie Butler.

There was group singing with piano accompaniments by Mrs. O. G. Mayle, after which a short business meeting was held, with H. A. Rickey presiding. Officers for 1959-60 were elected, as follows: C. Vance Hunter, president; Lawrence Hanlon Jr., vice president; Mrs. R. E. McDaniel, secretary; Mrs. R. M. Thorn, treasurer.

The group was dismissed by Paul D. Klepfel in a closing prayer.

H. A. RICKEY

Rock Island

HUTCHINSON, KAN. (78). We held our regular meeting in the Parrish Hotel, Pratt, Kan. on October 3. It proved to be one of those meetings which every member in the Local should have attended, to learn more about the problems and responsibilities which are ours.

We were pleased to have with us as visitors General Chairman R. A. Watkins and Santa Fe System General Chairman W. H. Lewis, who is also a trustee of Grand Lodge.

Among the matters taken up was a considerable discussion of the increase in dues needed to take care of the proposed $1.50 a month per member increase in per capita tax to Grand Lodge.

Rising costs in every phase of service make any reduction in Local Lodge funds impossible. There was a discussion of the small initiation fee charged new members, which has been the same for many years. Members in attendance were in agreement that it was too small a price

for a new member to pay for the benefits fought for and gained over the years by the active, dues-paying members.

It was decided that our next meeting will be held in Dalhart, Texas on the last Saturday of January, 1960, which will be January 30. Let's start the New Year with a really big turn-out. L. E. CASE

Washington Terminal

WASHINGTON, D.C. (114). At the regular meeting of National City Lodge 114, held Oct. 10, 1959, the following charter members received their 25-year pins: William E. Souder, C. H. Souder, J. R. Ryan, J. A. Grill, J. Candelire, E. A. Hodges, and William J. Sharp. We regret that Brothers E. C. Stewart and F. F. Cardwell were unable to attend. We extend congratulations to each of these members.

To our retired members E. A. Gebbardt, W. E. Tawney and L. A. Gagliardi, who were not present at this meeting, we extend our best wishes for a long and happy retirement.

We extend our sincere thanks to Brother E. A. Hodges for showing the movies which were taken on his trip to Alaska.

WILLIAM ROBERT MATTHEWS JR.

Seven members of Local 114, Washington Terminal Company, received 25-year membership pins at meeting held October 10. From left to right, they are: J. A. Grill; J. R. Ryan; W. E. Souder; E. A. Hodges; J. C. Candelire; W. J. Sharp; and C. H. Souder.

Burlington

AURORA, ILL. (103). Our bi-monthly meeting was held in the Leland Hotel, Aurora, on Sept. 19, 1959. Chief Ralph Neihart called the meeting to order at 9:30 a.m. and adjourned it at 1:30 p.m.

It was a pleasant surprise and an honor to have with us several officers from Grand Lodge who gave us much valuable information. Vice President E. J. Burman and Grand Lodge Representative C. J. Chamberlain gave some needed explanations and answered many questions.

Brother Paul T. Drummond, editor and manager of the *Signalman's Journal*, gave greetings to the members, took pictures of the group, and asked if anyone had any ideas for making the Journal better. I think he is doing a fine job.

Many important items of business were brought up. Six new members were voted on and accepted. They were: J. K. Welch, M. F. Kidd, M. C. Prewitt, G. D. Fortkamp, S. T. Perkerland and G. A. Brown.

Local 103 has been very fortunate in that none of its members have been laid off and 15 new members have been added since Jan. 1, 1959. However, we have lost several members who, for years, have been outstanding in guiding our Brotherhood by their wise council. We shall miss them in our discussions at meetings. Brother H. P. Roseman, who retired January 1, passed away a few weeks ago. Brothers Norris Nelson, W. R. Angell, J. H. Currans, R. L. Ballanger and L. H. Ford have taken their retirement. Best wishes to these veterans for many pleasant days ahead.

We welcomed back four members who have been in military service, namely: Melo Whitney, P. W. Dolph, F. J. Cox and M. D. Smith.

At the May 1960 meeting, Local 103 expects to honor all retired members and their wives with a dinner and appropriate gifts.

The question of Grand Lodge per capita tax increase of $1.50 per member per quarter was discussed. It was agreed that, due to the loss of members in our Brotherhood, which has cut down the income to Grand Lodge, Local 103 approve the per capita tax increase.

At the moment, the problem of getting the money has not been figured out. Trustees will meet in the near future to tackle the problem. Their decisions will be voted on at the next meeting which will be held in Galesburg on November 21.

On Saturday, October 10, for the first time in ten years I had the pleasure of attending the meeting of Local 119 at Lincoln, Neb. At that meeting my longtime friend, Brother John Fullwood, took his retirement and was presented with a fine present and purse and received best wishes for many happy years of retirement.

I was an interested visitor, and I am happy to say that those boys don't fool around in their business meeting. A question on the floor for discussion is kicked around in their business meeting. A quesvoted on. Chief Volney Simpson handles the old gavel very well indeed. I think Brothers Simpson and Secretary-Treasurer G. I. Peirce are tops in conducting a meeting!

At this meeting it was a pleasure to hear Vice President C. S. Chandler talk on many phases of the organization and what makes it "tick." Brother J. D. Richards, general chairman, explained many questions asked about the new agreement. We all recognize and appreciate the fine job that Brothers Chandler and Richards are doing and the long hours of hard work they have put on the new agreement for the signalmen on the

This photo shows the large crowd attending Local 103's meeting held Sept. 19 in Aurora, Ill. From left to right, they are: front row—Brothers P. M. Johnson; D. L. Wheatley; H. R. Neihart, chief; L. P. Karlovich; E. J. Raymond. Second row—T. E. Keithley, local chairman; L. C. Johnson; G. R. Webster, sec.-treas.; C. E. Finkle. Third row—E. J. Burman, vice president; R. E. Rhinberger; H R. Manley; C. J. Chamberlain, Grand Lodge representative; and LeRoy Schamerhorn, local chairman.

Burlington. Each member needs a prayer in his heart for strength and courage when the going is rough. G. R. WEBSTER

N.Y.C.—L.W.

ASHTABULA, OHIO. (35). The Danish Club in Erie, Pa. was the scene of a delicious smorgasbord dinner on Saturday, September 26, in honor of the retired and retiring members of Local 35, their wives and guests.

Of the ten retired members present, four took retirement this year—Brothers M. H. Williams, with 48 years of service; W. H. Auerbach, with 43 years; F. J. Green, with 42 years; and Lester Spencer, with 28 years.

Letters were read from Brothers Tom Austin of Englewood, Fla., Claude Hall of Eustis, Fla., and G. W. Benson of Riverside, Calif., each expressing regret that he was unable to attend. We were sorry that Brothers Larsen, Sprinkle and Harper were ill and could not be with us. Another of our retired members, S. E. Thompson who formerly maintained at Andover, Ohio, passed away July 30 at the age of 87.

Included in the 69 at the table were Supervisor J. V. Hancock; Assistant Supervisor R. S. Kirkwood; Maintenance Foreman L. D. White, and Inspector E. F. Saunders, and their wives; Retired Supervisor E. A. Hesselink of Boca Raton, Fla. and wife; and Miss Mildred Merrell, clerk in the supervisor's office, to whom much credit is due for making the party a success. Also, a special commendation to our Local Chairman J. F. Cline who was in charge of arrangements and acted as master of ceremonies.

A billfold and a small purse was given to each of the retiring Brothers. Our sincere good wishes to each for health and happiness during retirement years.

3522-B

Obituary

Richard W. Robinson, retired member of Local 5, New York, New Haven & Hartford Railroad, passed away Sept. 24, 1959 at St. Luke's Hospital in Middleboro, Mass. He was 72.

Brother Robinson had a long career in railroad signaling, having started on the Southern Division of the Boston & Maine Railroad in 1903, during the days of the so-called "banjo" and "banner" signals. He worked for the Pennsylvania and the Delaware, Lackawanna & Western at various places and in 1914 assisted in wiring the all-electric signal tower on the Boston & Maine Railroad at South Lawrence, Mass. He then maintained the electric tower for three years.

In 1917 he began a 37-year stretch of service for the N.Y., N.H. & H. Railroad, and retired at the age of 67 while maintaining at Middleboro, Mass.

Local 5 extends condolences to Brother Robinson's survivors. ED

Delmar M. Alderson, Local 114, Washington Terminal Company, Washington, D.C., passed away Sept. 27, 1959 at his home in Anderson, S.C.

Brother Alderson began work with the Terminal March 25, 1943.

He is survived by his widow and two daughters. Officers and members of Local 114 join his many friends in extending deepest sympathy to his survivors.

W. R. MATTHEWS JR.

Leonard Eugene Snodderly, Local 156, Atchison, Topeka & Santa Fe Railroad, died Aug. 1, 1959, in the Santa Fe hospital, Los Angeles, of heart trouble. He was 49.

Brother Snodderly was born at Kioa, Kan. Dec. 27, 1909 and began his railroad career as a helper on the Panhandle Division in 1928. He advanced to the position of signal maintainer and was transferred to the Los Angeles Division in 1938. In 1941 he was promoted to signal foreman, and on Oct. 29, 1944 he became assistant signal supervisor at Oceanside, Calif. On Feb. 1, 1946 he was made signal inspector at Oceanside, the position he held at the time of his passing.

Brother Snodderly was first a member of Local 161, later transferring to Local 156.

He is survived by his widow, Florence, who resides at 1432 Monte Vista Drive, Vista, Calif.; one daughter, three sons, and several grandchildren. One son, Neal, is a signal maintainer on the Los Angeles Division.

The membership of Local 156 extends heartfelt sympathy to the family in the untimely passing of Brother Snodderly.

W. T. DOAK

James E. Russell, Local 8, Union Pacific Railroad, passed away at his home in Green River, Wyo. on Oct. 1, 1959. He was 86.

Born in Missouri in 1872, as a child he moved with his family to Ogden, Utah. By 1886 he was a waterboy in his father's UP section gang and studying Morse code at night.

Until 1914 he was a telegraph operator. Many experiences he could recall of working 12 hours a day, seven days a week among pillaging Indians and in howling blizzards and the pileups of wooden cars. Lucky he was to have a healthy body.

In April 1914 he closed his key and began maintaining signals—in the rain as the lightning thundered against the cliffs; in the snow as his frosted breath rose over the 70-pound rails, and where the Wahsatch mountain peaks shouldered the sky.

He was a charter member of the Elks in Ogden and the UP Oldtimers' Club in Green River.

Always a loyal Brotherhood man, Brother Jim's smile and good humor will be long remembered by friends and co-workers.

He is survived by one sister, one daughter, and 12 great grandchildren to whom local 8 extends its deepest sympathy.

H. P. IRVIN

S. S. Higdon, Local 105, Seaboard Air Line Railroad, died Sept. 28, 1959 at Tampa, Fla.

Brother Higdon began work Nov. 28, 1928 as a signalman and worked in several locations during his period of service. He was holding the position of maintainer number one at Tampa at the time of his passing.

Brother Higdon left no known relatives.

W. I. FORT

Frank A. Kale, retired member of Trenton Local 102, Pennsylvania Railroad, passed away in his home at 319 Columbus Avenue, Trenton, on Sept. 18, 1959. He was 72.

Brother Kale began his railroad career in the T & S Department Aug. 8, 1918 and was admitted to membership in Local 102 on Sept 4, 1918.

He was a member of the Holy Name Societies of the PRR Company and of the Church of the Immaculate Conception; also of the Third Order of St. Francis and the Mount Carmel Guild.

Brother Kale was an able maintainer and held down a number of responsible positions in the New York Terminal territory before coming to Trenton. Prior to his retirement on Jan. 1, 1957, he was with the megger gang at Trenton.

Brother Kale is survived by his widow, Alice; four sons, two daughters and 14 grandchildren, to whom Local 102 extends sincere sympathy. A. J. BAYLIES

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